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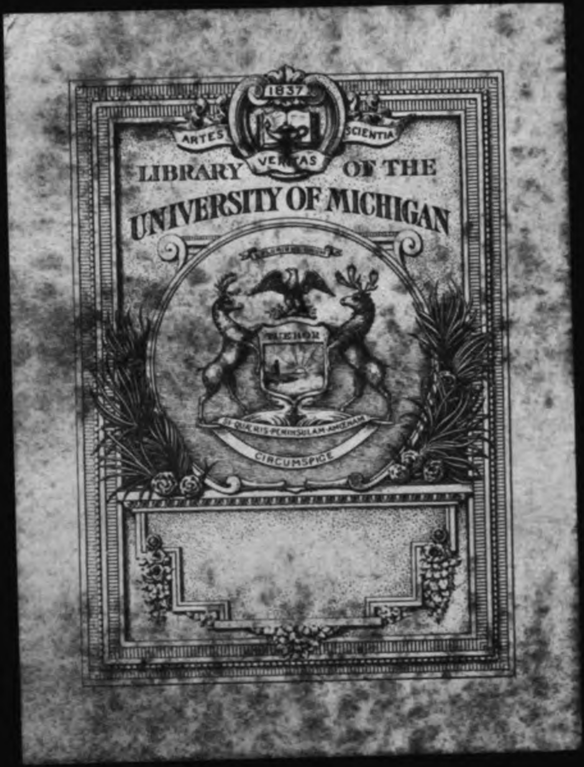

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THE

SCOTS PEERAGE

FOUNDED ON WOOD'S EDITION
OF SIR ROBERT DOUGLAS'S

Peerage of Scotland

CONTAINING
AN HISTORICAL AND GENEALOGICAL ACCOUNT
OF THE NOBILITY OF THAT KINGDOM

EDITED BY

SIR JAMES BALFOUR PAUL, LL.D.
LORD LYON KING OF ARMS

WITH ARMORIAL ILLUSTRATIONS

VOLUME V

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1908

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STEWART, LORD INNERMEATH

SIR ROBERT STEWART of Innermeath was the son of Sir James Stewart of Pearston, who fell at the battle of Halidonhill in 1333, son of Sir John Stewart of Bonkyll. He received a charter from King David II. of the lands of Dalzell and others 23 March 1362-63.[1] In 1374 he received a charter of the lands of Durrisdeer,[2] and appeared at the Parliament of Scone, 4 April 1373, as 'Robertus Senescallus de Innermeath.'[3] He died *circa* 1388,[4] leaving issue:—

1. SIR JOHN, of whom afterwards.
2. *Robert Stewart* of Rossyth, who married Janet de Ergadia, 'daughter and heiress of John de Ergadia,' Lord of Lorn. He exchanged his lordship of Lorn with his brother Sir John, for the lands of Durrisdeer, of which he had a charter of confirmation from King Robert II., 13 April 1388. He was ancestor of the family of Stewart of Rossyth.
3. *Catherine*, 'a daughter of the laird of Invermay,' stated to have been married to John Betoun of Balfour.[5]

[1] Fraser, *Red Book of Grandtully*, i. 236. [2] *Reg. Mag. Sig.*, folio vol. 101, 30. [3] Stewart's *Stewarts of Appin*, 53. [4] *Red Book of Grandtully*. [5] Macfarlane, *Gen. Coll.*, i. 21, where a Sasine of 1386 is cited.

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Sir John Stewart of Innermeath. He exchanged with his brother Robert the lands of Durrisdeer for the lordship of Lorn, to which the latter succeeded through his wife Janet de Ergadia. He is designed Lord of Lorn in 1407.[1] Douglas and the older writers state that his wife was Isobel de Ergadia, daughter and co-heiress of Eugene, or John, Lord of Lorn. This has been doubted by Mr. Sinclair and Mr. Joseph Bain.[2] But they do not seem to have noticed that his wife's name was certainly Isobel, that she died 21 December 1439,[3] and that her son James, the Black Knight of Lorn, needed a dispensation to allow him to marry the Queen-Dowager Joanna Beaufort, being 'within the third and third and fourth and fourth, and the third and fourth degrees of consanguinity and affinity,' relationships which can be reconciled with the statement of Douglas, as the wife of John, Lord of Lorn, was Joanna, daughter of Thomas de Ysak and Matilda, daughter of King Robert I. (Bruce). John Stewart, Knight, Lord of Lorn, 'kinsman of Robert, Duke of Albany' and Isabella his wife obtained from Benedict XIII., anti-pope, a dispensation dated at Peniscola 23 December 1418, for a plenary indulgence at the hour of death, for licence to choose a confessor, and for a portable altar.[4] He died 26 April 1421,[5] having had issue:—

1. Robert, who succeeded.
2. *Archibald*, mentioned in his nephew's entail of Lorn in 1452.
3. Sir James, the Black Knight of Lorn, who is treated under the title of Atholl.[6]
4. *Alexander*, ancestor of the Steuarts of Grandtully.
5. *Christian*, stated to have been married to James Dundas of that Ilk.[7]
6. *Isabel*, who is said to have been married, first, to Sir William Oliphant of Aberdalgy, secondly, to Sir David Murray of Gask, and was buried in the collegiate church of Tullibardine, founded by her second husband.[8]

[1] Rymer's *Fœdera*. [2] *Herald and Gen.*, vi. 589-595; *Proceedings of Soc. Antiq. Scot.*, xvi. 169. [3] *Murthly Book of Hours.* [4] *Cal. of Papal Registers, Petitions*, i. 611. [5] *Murthly Book of Hours.* [6] Vol. i. 440. [7] Duncan Stewart, *History of the Stewarts.* [8] *Stewarts of Appin*, 59.

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7. *Jean*, stated to have been married to Sir David Bruce of Clackmannan. (*See title* Elgin.)

ROBERT STEWART, Lord of Lorn, succeeded his father. He was one of the commissioners appointed in 1421 to treat with England for the release of King James I., and was one of the hostages for his ransom in 1424.[1] In 1425 he was one of the jury who condemned Murdoch, Duke of Albany, and his sons.

He married Johanna, daughter of Robert, Duke of Albany, Governor of Scotland, a dispensation for the marriage, as they were in the fourth degree of consanguinity, being granted by Pope Benedict XIII. at Avignon on 27 September 1397;[2] and in a charter from the Duke, about 1409, he is styled '*filius suus*.' Issue:—

1. JOHN, second Lord of Lorn.
2. WALTER, first Lord Innermeath, of whom afterwards.
3. *Alan*, died in prison about 1463.
4. *David*.
5. *Robert*.
6. —— a daughter, stated to have been married to John, first Lord Lindsay of the Byres.
7. —— a daughter, stated to have been married to Robert, eighth Lord Erskine, but there is no evidence for this. (*See title* Mar.)

JOHN, second Lord of Lorn, named locally 'John Mourach' or 'Lipper John.' He resigned his lands into the hands of the Crown, and had a charter of the lordship of Lorn, the barony of Innermeath, and the lands of Redcastle, 20 June 1452, to himself and the heirs-male of his body, whom failing to Walter, Alan, David, and Robert Stewart, his brothers, Archibald Stewart, his uncle, Sir James Stewart, knight, and Thomas Stewart, his cousin, and the heirs-male of their bodies respectively.[3] He died at Dunstaffnage 20 December 1463[4] from wounds inflicted by Alan M'Coule, against whom an Act of Parliament was passed in 1464.

He had three daughters, whose seniority is a matter of controversy:—

1. *Isabel*, married to Colin, first Earl of Argyll.

[1] Rymer's *Fœdera*, x. 125, 308, 416, D. [2] *Regesta Avinionensa*, 303, fol. 556. [3] *Reg. Mag. Sig.* [4] Chronicle of Fortingall.

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2. *Jonet*, married to Sir Colin Campbell of Glenurchy, who received, in March 1448-49, a charter of the five-merk land of Letterbean and others, from John Stewart, Lord of Lorn.[1]
3. *Marion*, married to Arthur Campbell of Otter;

and a natural son,

Dougal, who obtained the lands of Appin, and was ancestor of the Stewarts of Appin.

I. WALTER STEWART, first Lord Innermeath, is called 'frater Johannis domini de Lorne' 20 June 1452,[2] and succeeded to the lordship of Lorn on his brother's death. He sat in Parliament as Lord of Lorn 1464-69, but on 6 May 1471 he is named first of the Barons, as LORD INNERMEATH. He resigned, with consent of the Crown, the lordship of Lorn to Colin, first Earl of Argyll, who married his niece, Isabel Stewart, and received in exchange the title of Innermeath. He was living on 12 July 1481, but died before 3 February 1488-89.[3] He married Margaret Lindsay, who, as his spouse, obtained a charter of the lands of Redcastle 12 July 1481.[4]

II. THOMAS, second Lord Innermeath, succeeded his father. Killed at Flodden 9 September 1513.[5] He married Janet Keith, daughter of William, first Earl Marischal, and relict of John, Master of Rothes. They had issue:—

1. RICHARD.
2. *Marion*, married to Patrick, son of James Ogilvy of Inchmartin, and, as his wife, received a charter under the Great Seal 6 May 1510.
3. *Isobel*, married to John Ogilvy of Densyde,[6] with issue.

III. RICHARD, third Lord Innermeath, styled 'apparent heir' 8 June 1513, died certainly before 8 October 1530,[7] and perhaps in 1528.[8] He married Margaret Lindsay, daughter of John, third Lord Lindsay of the Byres, who married, secondly, before 13th June 1532, Sir James Stewart of Beath, brother of Andrew, Lord Ochiltree.[9] They had issue:—

1. JOHN, who succeeded.

[1] *Stewarts of Appin*, 64-65. [2] *Reg. Mag. Sig.* [3] *Acta Dom. Conc.*, 105. [4] *Reg. Mag. Sig.* [5] Stewart's *History*, 170. [6] *Acts and Decreets*, xxii. 20; xvi. 309. [7] *Reg. Sec. Sig.*, viii. 204. [8] Nisbet, ii. App. 182. [9] *Acta Dom. Conc. et Sess.*, i. xx. f. 20.

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2. *Bernard*, 'frater Johannis domini Innermeath,' 23 June 1542.[1]
3. *William*, in remainder to Reidcastle.[2]
4. *Marjory*, married, first, contract dated 29 September 1539, to James Ross of Craigton,[3] who died 1543; and secondly, to John Lindsay of Dowhill.[4]

IV. JOHN, fourth Lord Innermeath, succeeded his father. He had a charter, under the Great Seal, 23 June 1542, of the lands of Redcastle, for which he was to pay one red rose in name of blench,[5] and was in that year made one of the Extraordinary Lords of Session. He joined the association for the safety of King James VI. in 1567, and was present at his coronation. He died in January 1569-70, and his will is registered at Edinburgh. He married Elizabeth, daughter of John Betoun of Creich, who had a gift of his marriage 7 January 1536-37.[6]

Elizabeth Betoun, Lady Innermeath, married, secondly, James Gray, son to Patrick, Lord Gray, 'ane young gentle man unlandit or providit of leving, in hoip that he sould have mantenit and defendit and done the dewtie of ane faithfull husband to hir in hir aige,'[7] but she divorced him for adultery 10 June 1581.[8] Issue:—

1. JAMES, who succeeded.
2. *John* Stewart of Redcastle and Laitheris, second son, mentioned as fiar of Laitheris[9] 16 January 1561-62. He was one of his father's executors, and took forcible possession of Redcastle, defending it in March 1579 against his stepfather.[10] He was captured by Robert Erskine, fiar of Dun, and in 1579 committed to the custody of Robert, Earl of Lennox. He is designed also 'of Baldinneis.'[11] A collection of MS. poems, signed by him under the latter designation, is in the Advocates' Library. He married Katherine, daughter of Andrew Gray of Duninald,[12] and died

[1] *Reg. Mag. Sig.* [2] *Ibid.* [3] Gray Inventory. [4] *Acts and Decreets*, iii. 212. [5] *Reg. Mag. Sig.* [6] *Reg. Sec. Sig.*, viii. 204, x. 180. He is styled in the latter writ 'son and heir' of his father Richard, thus settling the doubt expressed in Wood's Douglas's *Peerage* as to whether he was a son or brother. [7] *P. C. Reg.*, iii. 154-155. [8] *Edin. Commissariot Decreets.* [9] *Reg. Mag. Sig.* [10] *P. C. Reg.*, iii. 125-126, 171-172. [11] *Reg. of Deeds*, xxiii. 161. [12] *Ibid.*, xviii. 41.

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before 1607, having had a son David.[1] He probably left descendants, as in the birthbrieve of Captain George Gardyne, Aberdeen, 1639, it is stated that 'The laird of Glenkindie's mother was Isabel Stewart, daughter of the Laird of Latheris, quha was discendit of the hous of Innermeath.'[2]

3. *William.*
4. *Alexander.*
5. *Katherine* or *Jean*,[3] married to William Ruthven of Bandon. In the birthbrieve of the Earl of Forth and Brentford[4] it is stated that his mother, Katherine, wife of William Ruthven of Bandon, was daughter of 'John, Lord Stewart.'
6. *Marjorie*, married to David Lindsay of Vayne. In 1581 she, who was one of her father's executors, was besieged in the tower of Redcastle by Gray of Duninald.[5]
7. *Elizabeth*, married to William Ochterlony of Kelly.[6]
8. *Jean*, married to David Garden of Leys.[7]

V. JAMES, fifth Lord Innermeath, succeeded his father in 1569-70. He was one of the hostages for Mary, Queen of Scots.[8] In 1577-78 he was made a councillor extraordinary, and was on a Commission for quieting the public troubles within the Realm.[9] He received a charter of the lands of Latheris, as Master of Innermeath, 7 July 1554. In 1583 his family is described in the *Estimate of the Scots Nobility* as 'aunciente, but nether of great lyuinge, power or enterprise.' He died 14 February 1585-86, and his will was recorded at Edinburgh.[10] He married, about May 1554, Helen Ogilvy, daughter of James, fourth Lord Ogilvy of Airlie.[11] Issue:—

1. JOHN, who succeeded.
2. *Robert.*
3. *James*, 'at the horn' 1591.[12] On 26 November 1607 Patrick, Commendator of Coupar, complained to the Privy Council that he attacked the Abbey,[13]

[1] *Reg. of Deeds*, cxl., 1 December 1607. [2] *Miscellany* of the Spalding Club, v. [3] *Reg. Mag. Sig.*, 18 September 1606. [4] *Ruthven Correspondence*, Roxburgh Club. [5] *Acta Parl. Scot.*, iii. 207 *b*. [6] *Acts and Decreets*, lxvi. 249. [7] Edin. Tests, 27 July 1581. [8] *Complete Peerage*. [9] *P. C. Reg.*, iii. 4, 25, *et seq.* [10] Edin. Tests. [11] Cortachy MSS. [12] *P. C. Reg.*, iv. 777. [13] *Ibid.*, viii. 14, 15.

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despoiled it of goods, and removed himself and his family,[1]

4. *William*, of Logierait.[2]
5. *Mr. Patrick*. As brother to John, Lord Innermeath, he is witness of a bond 26 August 1594.[3] He was afterwards parson of Muckersy, and was, before 14 November 1599, excommunicated by the Presbytery for papistry.[4]

   One of these brothers was father of Bernard Stewart, styled 'brother's son of umquhil John, Lord Innermeith,' who is mentioned in 1617 along with Archibald his son.[5]
6. *Margaret*, with her sisters, was executrix to her father. She was married, contract 11, 12, and 25 January 1595-96,[6] to Sir Robert Crichton of Cluny.
7. *Beatrix*, executrix to her father.
8. *Grizel*, executrix to her father.
9. *Helen*, married, contract 22 September 1578,[7] to Walter Ogilvy of Carnowseis.
10. *Elizabeth*, married, contract 4 October 1580, to David Gardin of that Ilk.[8]
11. *Jean*, married, contract 10 October 1591, to Walter Rollok of Pitmadie, tutor of Duncrub, styled later Sir Walter Rollok of Gardin;[9] secondly, to Sir Alexander Jardine of Applegarth.[10]

VI. JOHN, sixth Lord Innermeath, born about 1562, was created in 1595-96 Earl of Atholl. (*See that title.*)

CREATION.—About 1471, Lord Innermeath.

ARMS.—These varied from time to time. The seal of John, second Lord of Lorn, bore 1st, a buckle in chief the base countercompony; 2nd and 3rd, a lymphad in full sail; 4th, a chief countercompony with a garb in base. Walter,

[1] The Macfarlane MSS., ii. 152, state that he married Margaret Maule, eldest daughter of Thomas Maule of Panmure; the *Registrum de Panmure* [xxxvi.] calls her husband James Stewart, brother-german to Johne, Earl of Atholl. [2] *Forfar Inhibitions*, 18 July 1618. [3] *P. C. Reg.*, v. 166. [4] *Fasti Eccl. Scot.*, ii. 643; *Chron. of Perth*. [5] *Reg. of Deeds*, cclxx, 26 May 1618. [6] *Ibid.*, lix. 232. [7] *Ibid.*, xxxiii. 282. [8] *Ibid.*, xix. 73. [9] *Ibid.*, xlvi., 11 December 1594. [10] *Gen. Reg. of Inhib.*, xxxiii. 414.

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first Lord Innermeath, bore 1st and 4th, a buckle; 2nd and 3rd, a fess chequy. John, fourth Lord, bore 1st and 4th, chequy all over; 2nd and 3rd, three buckles. Crest, a stag's head. John, sixth Lord, bore 1st and 4th, a fess chequy; 2nd and 3rd, three pallets. Crest, a hand holding a key. Supporters, two savages, their legs fettered.[1]

[A. F. S.]

[1] Macdonald's *Armorial Seals*, 2635-2638.

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INGRAM, VISCOUNT IRVINE

THIS family was founded by Hugh Ingram, a wealthy merchant of London, who is said to have been born at Thorpe on the Hill, co. York. He died in February or March 1613-14, and was buried in the church of St. Michael, Wood Street, London. His will, in which he is described as 'Citizen and Tallow-chandler of London,' dated 25 February 1613-14, was proved 29 March 1614.[1] He married Anne, daughter of Richard Goldthorpe, haberdasher, Lord Mayor of York and M.P. for that city. By her will, dated 15 April 1614, proved 14 June 1616,[2] she desired to be buried near her husband in the church of St. Michael, Wood Street. They had issue:—

1. *Sir William Ingram*, of the city of York, Doctor of the Civil Law and Secretary to the Council in the North, knighted at York 11 April 1617.[3] He died 24 July 1623, and was buried in York Minster. Will dated 9 May, proved at York 25 July 1623. I. P. M. taken at York 26 September 1623.[4] He married Catherine, daughter of John Edmonds of Cambridge; she was buried in York Minster 21 February 1631-32. From them descended the family of Ingram of Cattal and Thorpe, co. York.

[1] *P. C. C.*, 22 Lawe. [2] *Ibid.*, 58 Cope. [3] Metcalfe's *Book of Knights*.
[4] C., vol. 515, No. 77.

2. **Sir Arthur Ingram.**
3. *John Ingram*, who died *v. p.*, leaving issue three sons and one daughter, *William*, *Hugh*, *John*, and *Anne*.
4. *Anne*, married to James Trott, and had issue.

Sir Arthur Ingram, second son of Hugh Ingram, was originally a merchant in London, and was knighted at Theobalds 9 July 1613.[1] In 1604 and 1607 he was appointed Comptroller of Customs of the Port of London, in 1612 Secretary and Keeper of the Signet in the north of England, and in 1615 Cofferer of the King's household. He several times represented the city of York in Parliament, and was Sheriff of Yorkshire 1619-20. On 14 June 1622 he purchased from Ludovick Stewart, Duke of Lennox, the manor of Temple Newsam, co. York, for £12,000,[2] and also bought the manor of Leeds-Kirkgate, and lands in Hatfield, Halifax, and Birdsall, in the same county. He pulled down the greater part of the ancient mansion at Temple Newsam, erecting a splendid house on the site, and was founder of Ingram's Hospital, Bootham, within the suburbs of the city of York. His will, dated 15 August 1640, was proved in London 10 September 1642.[3] He married, first, Susan, daughter of Richard Brown of London; she died 29 March 1613. By her he had issue:—

1. **Sir Arthur Ingram.**
2. *John*, died *v.p.* 29 June 1635. Will proved 24 October 1635.[4] I. P. M. taken at York 24 September 1635.[5] He married, first, in 1630, Anne, daughter and heir of Walter Calverley of Eccleshill, co. York; she died 31 October 1632. I. P. M. taken at York 10 September 1635.[6] By her he had issue:—

   (1) *Elizabeth*, born 26 December 1631.

   He married, secondly, in 1634, Dorothy, third daughter of Thomas (Fairfax), Viscount Fairfax of Elmley, but left no further issue. She married, secondly, 28 March 1639, at Holy Trinity, Goodramgate, York, Sir Thomas Norcliffe, Knight, and had

[1] Metcalfe's *Book of Knights*. [2] Close Roll, 20 Jac. I., pt. 20, No. 19. [3] *P. C. C.*, 107 Cambell. [4] *Ibid.*, 102 Sadler. [5] C., vol. 477, No. 180. [6] *Ibid.*, No. 100.

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issue. She was buried at Langton, co. York, 18 June 1686. Will dated 16 September 1684, proved at York 24 June 1686.

3. *Charles.*
4. *Benjamin.*
5. *Elizabeth*, married to Simon Bennett of Beachampton, co. Bucks, who was created a Baronet 17 July 1627. He died 21, and was buried 22, August 1631, at Beachampton. She died *s. p.* 13, and was buried 30, June 1636, at St. Bartholomew the Great, London.[1]

Sir Arthur Ingram married, secondly, Alice, widow of John Halliday (son and heir of Sir Leonard Halliday, Knight, Lord Mayor of London) and daughter of William Ferrers of London, mercer, by whom he had a son:—

6. *Sir Thomas* Ingram, of Sheriff Hutton, co. York, Knight, baptized at Stratford Bow, co. Middlesex, 20 June 1616;[2] knighted at Newmarket 16 October 1636.[3] M.P. for Thirsk 1640-45. At the Rebellion he was on the royalist side, and was fined £3649 28 November 1646.[4] After the Restoration he was made a member of the Privy Council, and in 1664 Chancellor of the Duchy of Lancaster. He died 13, and was buried in Westminster Abbey 17, February 1671-72.[5] His will, dated 9, was proved 27, February 1671-72.[6] He married Frances, youngest daughter of Thomas (Belasyse), Viscount Fauconberg, who was baptized at Coxwold, co. York, 19 February 1617,[7] and was buried in Westminster Abbey 27 March 1680. Her will, dated 27 September 1676, was proved 1 April 1680.[8] By her Sir Thomas had issue a daughter:—

   Mary, who died an infant *v. p.*, and was buried in Westminster Abbey 12 June 1651.

Sir Arthur married, thirdly, Mary, daughter of Sir Edward Greville of Milcote, co. Warwick, Knight, who survived him, and was buried at East Barnet, co. Herts, 16 May 1661.[9] Will dated 17 December 1660, with codicil of 12

[1] *Complete Baronetage*, by G. E. C. [2] Lysons' *Environs of London*, ed. 1795, iii. 501. [3] Metcalfe's *Book of Knights*. [4] Calendar of Proceedings of the Committee for Compounding, pt. 2, 1342. [5] The inscription on his tomb is printed in Neale's *Westminster Abbey*, ii. 133. [6] *P. C. C.*, 16 Eure. [7] Foster's Yorkshire Pedigrees. [8] *P. C. C.*, 48 Bath. [9] Lysons' *Environs of London*, ed. 1795, iv. 19.

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March 1660-61, was proved 6 July 1661.[1] By her he had a son:—

7. *Lionel*, who died young.

Sir Arthur Ingram of Temple Newsam, was knighted at Theobalds 16 July 1621,[2] and was Sheriff of Yorkshire 1629-30. In 1648 he was captured at Hatfield by part of the royalist garrison at Pontefract, and was forced to pay £1500 for his ransom.[3] He died 4 July 1655, and was buried at Whitkirk, co. York, where his widow erected a monument to his memory.[4] His will, dated 13 March 1654-55, was proved 18 March 1655-56.[5] He married, first, Eleanor, daughter of Sir Henry Slingsby of Redhouse, co. York, Knight; she was buried at St. Giles'-in-the-Fields, co. Middlesex, 25 May 1647. They had issue:—

1. *Arthur*, buried at Whitkirk 3 June 1638.
2. *Thomas*, who succeeded his father in the estate of Temple Newsam, but died without surviving issue in 1660, probably in the parish of St Andrew's, Holborn. His will, dated 4 February 1659-60, was proved 1 May 1660.[6] He married, at Langton, co. York, 7 January 1655-56, Mary, daughter of Watkinson Payler of Thoraldby, co. York, by Margaret, daughter of Thomas (Fairfax), Viscount Fairfax of Elmley; she died October 1656, and was buried at Langton, having given birth to twin children, who died with their mother.
3. Henry, created Viscount Irvine.
4. *Arthur*, who purchased the estate of Barrowby in the parish of Garforth, co. York, and died intestate 12 September 1713. He married Jane, daughter of Sir John Mallory of Studley, co. York, who was buried at Whitkirk 3 August 1693, and by whom he had issue.
5. *Elizabeth*, married at Kensington, co. Middlesex, 8

[1] *P. C. C.*, 91 May. Sentence for validity of the will was pronounced 4 July 1661 (88 May), the testatrix being described as late of St. Giles'-in-the-Fields, co. Middlesex, in which parish she probably died. [2] Metcalfe's *Book of Knights*. [3] Hunter's *South Yorkshire*, i. 175. [4] The inscription on his tomb is printed in Whitaker's *Loidis and Elmete*. [5] *P. C. C.*, 98 Berkley. [6] *Ibid.*, 79 Nabbs. Sentence for validity of the will was pronounced 13 November 1660 (308 Nabbs), the testator being described as late of the parish of St. Andrew, Holborn.

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April 1641, to Robert (Rich), Lord Rich, afterwards second Earl of Holland and fifth Earl of Warwick, by whom she had issue.

6. *Ann*, baptized at Whitkirk 26 July 1638, married, after 13 November 1660 and before 9 August 1666, to Henry, son of Robert Stapleton of Wighill, co. York, without issue.
7. *Barbara*, buried at Whitkirk 6 April 1641.

Sir Arthur Ingram married, secondly, at St. Helen's, Bishopsgate, London, 6 October 1647, Katharine, daughter of Thomas, first Viscount Fairfax of Elmley, relict of Robert Stapleton of Wighill, co. York, and widow of Sir Matthew Boynton, Bart. She married, fourthly, at Langton, co. York, 12 July 1657, William Wickham of Roxby. By her Sir Arthur had a daughter:—

8. *Katherine*, married, after 9 August 1666 and before 9 February 1671-72, to Christopher Nevill of Auborn, co. Lincoln, who was knighted 15 December 1674.

I. Henry Ingram, third but eldest surviving son of Sir Arthur Ingram, was baptized at Whitkirk 8 April 1641, and succeeded his brother Thomas in the Temple Newsam and other estates in 1660. He was, when only twenty years of age, created a Peer of Scotland with the title of VISCOUNT IRVINE[1] and LORD INGRAM, by patent dated 23 May 1661, with limitation to the heirs-male of his body. He was buried at Whitkirk 13 August 1666. His will, dated 9 August, was proved 11 October 1666.[2] He married, in 1661,[3] Essex, daughter of Edward (Montagu), second Earl of Manchester. Her will, dated 4, was proved 13, October 1677.[4] They had issue:—

1. Edward, second Viscount Irvine.
2. Arthur, third Viscount Irvine.
3. *Essex*, baptized at Whitkirk 10 January 1664-65. Administration of her goods granted *P. C. C.* 27 April 1670 and 2 January 1688-89, she being described as of St. Giles'-in-the-Fields, spinster.

[1] In England, however, the title was even in formal documents invariably spelt Irwin. [2] *P. C. C.*, 143 Mico. [3] A licence for this marriage was granted by the Bishop of London 7 June 1661, the bridegroom aged twenty years and about three months, and the bride about seventeen. [4] *P. C. C.*, 99 Hale.

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II. **Edward**, second Viscount Irvine, born 1662 or 1663, succeeded his father August 1666. He died without male issue 16 September 1688, in his twenty-sixth year, and was buried 17 October following at Whitkirk, where a magnificent monument[1] was erected to his memory by his widow. His will, dated 22 August, was proved 19 November 1688.[2] He married Elizabeth, eldest daughter of Bennet (Sherard), second Baron Sherard, in the Peerage of Ireland, and sister of Bennet, first Earl of Harborough. She married, secondly, at the chapel of the Charterhouse, London, 11 June 1696, John Noel of North Luffenham, co. Rutland, a younger son of Baptist, third Viscount Campden, by whom she had issue. His will, dated 2 September 1696, was proved 9 January 1718-19.[3] She died 1 March 1746-47; her will, dated 19 April 1736, was proved 18 May 1747.[4] By her Lord Irvine had an only child:—

Katherine, died in her second year 6, and was buried at Whitkirk 19, November 1688.

III. **Arthur**, third Viscount Irvine, baptized at Whitkirk 25 January 1665-66, succeeded his brother 16 September 1688. In 1701 he was chosen M.P. for Yorkshire. He died 21 June, and was buried at Whitkirk 8 July 1702.[5] His will, dated 12 June 1702, was proved 24 June 1706.[6] He married, in 1685,[7] Isabella, eldest daughter and co-heir of John Machell of Hills, in the parish of Horsham, co. Sussex, sometime M.P. for that place, by Helena his wife. She was born 25 October, and baptized at Horsham 2 November 1670.[8] She died in or near Windsor, co. Berks, 21 July 1764[9] in her ninety-fourth year, and was buried at Horsham 2 August following. Will, dated at Windsor 28

[1] The inscription thereon is printed in Whitaker's *Loidis and Elmete*. [2] *P. C. C.*, 151 and 152 Exton. [3] *Ibid.*, 13 Browning. [4] *Ibid.*, 129 Potter. By this will she left to her daughter Alice Noel 'Lord Irwin's little picture set in gold,' and desired to be buried 'as near my dear Lord as may be.' [5] Le Neve's *Monumenta Anglicana*, 1700-15, 51. [6] *P. C. C.*, 129 Eedes. [7] Licence from the Vicar-General 5 October 1685, to be married at St. Leonard's, Eastcheap, London. [8] Particulars from the registers of Horsham have kindly been communicated by R. Garraway Rice, Esquire, F.S.A., from a transcript in his possession. [9] *Gentleman's Mag.*

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June, was proved 8 October 1764.[1] By her Lord Irvine had issue nine sons:—

1. Edward Machell, fourth Viscount Irvine.
2. Rich, fifth Viscount Irvine.
3. Arthur, sixth Viscount Irvine.
4. Henry, seventh Viscount Irvine.
5. *John*, baptized at Whitkirk 6 April 1693, died unmarried 1714.
6. George, eighth Viscount Irvine.
7. *Charles*, born 27 March, baptized at Whitkirk 8 April 1696, matriculated at Oriel College, Oxford, 29 April 1714. He had a company in the 3rd Regiment of Foot Guards 1737, and was appointed Adjutant-general of the Forces in April 1743; elected M.P. for Horsham 1736, 1741, and 1747. He died 28 November,[2] and was buried at Horsham 10 December, 1748. His will, dated 27 January 1746-47, was proved 12 January 1748-49.[3] He married at Westminster Abbey 9 March 1725-26, Elizabeth, widow of Francis Brace of Biddenham, co. Bedford (whose will, dated 29 June 1724, was proved 3 April 1725[4]), and daughter and co-heir of Charles Scarborough of Windsor, co. Berks, Groom of the Bedchamber to Prince George of Denmark, and one of the clerks of the Board of Green Cloth. By her, who was buried at Horsham 20 December 1739, he had issue:—

   (1) Charles, ninth Viscount Irvine.
   (2) *Isabella*, born 17 September, and baptized at Horsham 7 October 1729; buried there 25 February 1762. She was married, 17 March 1761, to Lieut.-Colonel Frecheville Ramsden, sixth son of Sir William Ramsden, second Baronet (he died 24 December 1804), by whom she had a son, George Ramsden, captain 15th Hussars.
   (3) *Anne*, born 29 September, and baptized at Westminster Abbey 21 October 1730, buried at Horsham 22 June 1731.
   (4) *Elizabeth Arthur*, born 24 May, and baptized at Westminster Abbey 26 June 1734; married at St. George's, Hanover Square, 3 May 1767, to Nathaniel Bayley of Hanwell, co. Middlesex.

8. *Thomas*, born 16 January, baptized at Whitkirk 9 February, 1697-98, buried there 18 May 1698.

[1] *P. C. C.*, 398 Simpson. This will is in the form of a letter to her man of business, Edward Dickenson of Carey Street, London. [2] Chester's Registers of Westminster Abbey. [3] *P. C. C.*, 15 Lisle. [4] *Ibid.*, 77 Romney.

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9. *William*, born 9 July 1701, a merchant in Holland, and afterwards of Windsor, co. Berks; buried at Horsham 2 May 1756. Will, dated 20 September 1753, proved 15 June 1756.[1]

IV. EDWARD MACHELL, fourth Viscount Irvine, born 26 December 1686, and baptized at Horsham 6 January following; succeeded his father 21 June 1702; Lord-Lieutenant of the East Riding of Yorkshire. Of him Thoresby, in his *Ducatus*, says, 'whose excellent Genius and noble Qualifications surpass what my dull Pen dare pretend to express.' He died *s.p.* in his twenty-eighth year, of smallpox, at Beaufort Buildings, in the Strand, London, 18 May 1714.[2]

V. RICH,[3] fifth Viscount Irvine, born 6, and baptized at Horsham 23, January 1687-88; succeeded his eldest brother 18 May 1714. In 1715 he was appointed Governor of Hull and Colonel of the Life Guards, and on 13 December 1717 Colonel of the 1st Dragoon Guards. In 1720 he was nominated Governor of Barbadoes, but as he was preparing for his departure for that island he died 10, and was buried 17, April 1721, in the Ormond vault in Henry VII.'s Chapel, Westminster Abbey. Administration of his goods was granted to his mother, *P. C. C.* 27 June 1721. He married, soon after 21 November 1717,[4] Anne, third daughter of Charles (Howard), third Earl of Carlisle. She was appointed in 1736 a Lady of the Bedchamber to the Princess of Wales (mother of George III.), and for the rest of her life was a prominent figure at Court. She was authoress of several poems, and is noticed in Duncombe's *Feminead*. On 11 June 1737, contrary to the wishes of her relatives,[5] she was married, secondly, at St. George's, Hanover Square, to Colonel (afterwards Brigadier-General) William Douglas, a descendant of the family of Douglas of Kirkness, cadets of the Earls of Morton. He died while in command of the British forces in South Beveland in 1747, and was buried in the chapel at

[1] *P. C. C.*, 168 Glazier. [2] Pedigree in the College of Arms, London. [3] Not *Richard*, as in Chester's *Westminster Abbey Registers*, and in all the printed pedigrees of this family. [4] *Duke of Portland's MSS.* (*Hist. MSS. Com.*), v. 540. [5] See a letter from the Hon. Charles Howard to Lord Carlisle, printed in the *Fifteenth Rep. Hist. MSS. Com.*, App. pt. 6 (MSS. of the Earl of Carlisle). Several letters of Lady Irvine's are printed in this Report. A portrait of her is to be found in Park's *Walpole*.

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Kew.[1] She died 2 December 1764, and by her will, dated 1 December 1762, with eleven codicils, proved 19 December 1764,[2] she desired to be buried near her second husband at Kew.

VI. ARTHUR, sixth Viscount Irvine, baptized at Whitkirk 21 December 1689; matriculated at Oriel College, Oxford, 25 June 1706; M.P. for Horsham June 1715, until his succession to the Peerage 10 April 1721; Lord-Lieutenant of the East Riding of Yorkshire 1728. He died, unmarried, 26 May 1736. Will, dated 26 March, proved 17 August 1736.[3] Administration with the will annexed granted *P. C. C.*, 28 June 1766.

VII. HENRY, seventh Viscount Irvine, born 30 April, baptized at Whitkirk 14 May, 1691; matriculated at Oriel College, Oxford, 17 May 1708; B.A. 9 February 1710-11; M.A. 1712. Elected M.P. for Horsham 1722, 1727, and 1734. Appointed Commissary-General of Stores at Gibraltar 1727, and at Minorca 1735; succeeded to the Peerage on the death of his brother Arthur, 26 May 1736, and was made Lord-Lieutenant of the East Riding of Yorkshire the same year. He died 4 April 1761, and was buried at Whitkirk. Will, dated 30 January 1748-49, was proved 17 June 1761.[4] Administration with the will annexed granted, *P. C. C.* 17 April 1766. He married, before June 1737, Anne, daughter and co-heir of the above-mentioned Charles Scarborough, and sister of the wife of his brother Charles, but by her had no issue. She died near Hanover Square, London, 20 March 1766.[5] By her will, proved 17 April 1766,[6] she desired to be buried at Whitkirk, near her late husband.

VIII. GEORGE, eighth Viscount Irvine, baptized at Whitkirk 19 November 1694; matriculated at Oriel College, Oxford, 7 June 1711; B.A. 1714; Fellow 1716; M.A. 1717. In Holy Orders. Rector of Crudwell, co. Wilts, 1719, and vicar of Hankerton, in the same county, 1723. Canon of West-

[1] Inscription printed in Manning and Bray's *History of Surrey*, i. 449.
[2] *P. C. C.* 470 Simpson. By a codicil she left an enamelled portrait of her first husband, set with diamonds in the form of a Viscount's coronet, to his niece Elizabeth Arthur Ingram. [3] *P. C. C.*, 179 Derby. [4] *Ibid.*, 220 Cheslyn. [5] *Gentleman's Mag.* [6] *P. C. C.*, 144 Tyndall.

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minster and chaplain of the House of Commons 1724. Succeeded to the Peerage on the death of his brother Henry 4 April 1761. He died at Crudwell, unmarried, 14 April 1763. Will, dated 7 February, with five codicils, was proved 17 May and 8 June, 1763, and again 15 December 1766.[1]

IX. Charles, ninth Viscount Irvine,[2] born 19 March 1726-27; elected M.P. for Horsham 1748, 1754, and 1761; appointed one of the Grooms of the Bedchamber to George, Prince of Wales, 1756, and continued in that office after the accession of the Prince to the throne as George III. Succeeded his uncle George as Viscount Irvine and Lord Ingram 14 April 1763, and was chosen one of the sixteen representatives of the Scottish Peerage at the general election in 1768, and again in 1774. He died at Temple Newsam, without male issue, 19 June 1778,[3] and was buried at Whitkirk, all his honours becoming extinct. His will, dated 16 June 1777, was proved 27 July 1778.[4] He married (licence from the Faculty Office 28 June 1758) a considerable heiress, Frances Gibson, commonly called Shepheard, of Scotland Yard, Whitehall, who was born 8 August 1734,[5] and was illegitimate daughter of Samuel Shepheard of Exning, near Newmarket, many years M.P. for Cambridge.[6] She spent a long and beneficent life at Temple Newsam, and dying there 20 November 1807, was interred at Whitkirk. Her will was proved in London April 1808. By her Lord Irvine had issue five daughters:—

1. *Isabella Anne*,[7] born 1760, married at the house of her father in Hanover Square, 20 May 1776,[8] as his second wife, to Francis (Seymour-Conway), Viscount Beauchamp, afterwards second Marquis of Hertford, K.G. They assumed by royal licence, 18 December 1807, the surname of Ingram before Seymour and Conway, and the arms of Ingram quarterly with the armorial

[1] *P. C. C.*, 236 Cæsar. [2] His portrait by Wilson was at Temple Newsam in 1816, the date of Whitaker's *Loidis and Elmete*. [3] Inscription on his monument at Whitkirk, which also records the date of his birth. [4] *P. C. C.*, 290 Hay. [5] Inscription on monument at Whitkirk. [6] See his will, dated 26 September 1744, proved with two codicils 2 May 1748 (*P.C.C.*, 162 Strahan). [7] Her portrait by Sir Joshua Reynolds was at Temple Newsam in 1816. [8] Marriage Registers of St. George's, Hanover Square, printed by the Harleian Society.

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bearings of those families. She died at Hertford House, Manchester Square, London, 12, and was buried at Arrow, co. Warwick, 14, April 1834. She possessed great influence at Court during the Regency of George, Prince of Wales (afterwards George IV.). By Lord Hertford (who died 17 June 1822) she had an only son, who became third Marquis of Hertford, but was excluded from succession to the Ingram estates under the terms of the will of his maternal grandfather Lord Irvine, who entailed them, failing younger sons of Lady Hertford, upon the male issue of his other daughters.

2. *Frances*, born 1761, married, 1 March 1781, to Lord William Gordon, second son of Cosmo George, third Duke of Gordon. He died 1 May 1823. She died 29 September 1841. They had a daughter Frances, who died unmarried 2 September 1831.
3. *Elizabeth*, married at the house of her mother in Stanhope Street, London, 2 August 1782, to Hugo Meynell of Hoar Cross, co. Stafford. He died 17 May 1800. She died from a carriage accident, 23 August 1817. Their son Hugo Charles Meynell succeeded to the estate of Temple Newsam, and on 25 October 1841 assumed by royal licence the surname and arms of Ingram in addition to those of Meynell.
4. *Harriet*, born 15 April 1765, married, in the parish of St. George, Hanover Square (probably in Stanhope Street), 16 September 1789, to Colonel Henry Hervey Aston, of Aston, co. Chester, and of the 12th Regiment of Foot, by whom she had issue. He was shot in a duel by Major Allen of his own regiment, 23 December 1798, at the Cape of Good Hope, and died soon after.
5. *Louisa Susannah*, born 1766, married, at the house of her mother in Stanhope Street, 7 July 1787, to Sir John Ramsden, fourth Baronet of Byrom, co. York, who died 15 July 1839. She died 22 November 1857, aged ninety-one. Their grandson is the present Sir John William Ramsden, fifth Baronet.

CREATION.—23 May 1661, Viscount Irvine and Lord Ingram.

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ARMS.—Ermine, on a fess gules three escallops or.

CREST.—A cock proper.

SUPPORTERS.—Dexter, a griffin proper; sinister, an antelope proper, horned, maned, tufted, and unguled or, gorged with a ducal coronet gules.

MOTTO.—*Magnanimus esto.*

[H. W. F. H.]

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CAMPBELL, EARL OF IRVINE

On 30 May 1607 King James VI. granted to Archibald, seventh Earl of Argyll and his heirs-male whatsoever in feu-farm practically the whole peninsula of Kintyre, at one time part of the possessions of the great Clan Donald,[1] along with the island of Jura—the subjects of the grant being by the charter erected into a lordship, with the castle of Dunaverty as its principal messuage. The grant bears to have been made in implement of a previous contract dated 27 May 1607, and in consideration of the payment of a certain sum as well as in respect of the good service of the grantee and his predecessors. Further light is thrown upon the transaction by the initial words 'Rex, quia subscripta multis annis elapsis possessa erant per inordinatas et barbaras personas, cognitione et timore Dei et regis ac regni legum reverentia destitutas, que nec civilem societatem inter se coluerunt neque alios regni subditos ibi negotiari sine periculo vitarum et bonorum permiserunt, etc.' It is also provided towards the end of the charter, no doubt with the view of securing against interruption the beneficent intentions of the parties, that without the King's special authority it should not be lawful to let or dispone any part of the

[1] *Reg. Mag. Sig.*

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lands conveyed to any one of the name of Maclean or Macdonald—in other words, to any of the hapless native population. Following upon this charter Argyll seems to have added Kintyre to his other titles, and is frequently designed *Comes Argadiae dominus Campbell Lorne et Kintyre.*[1] On 13 November 1610 he married, as his second wife, Anna, daughter of Sir William Cornwallis of Brome. James, the eldest son of this marriage, was born in 1611, and at his baptism in the Chapel Royal had as sponsors the King, the Earl of Salisbury, and the Marchioness of Winchester.[2]

In the Parliament of 1617 held in Edinburgh by the King in person, and at which Argyll carried the crown, he obtained an Act, *inter alia*, authorising the dissolution of the lordship of Kintyre from the Crown, and its settlement on him and James Campbell 'his eldest lauchfull sone procreat betwix him and Dame Anna Cornewallis his spous, and thair airis maill and assigneyis, or to ather of thame upon the resignatioun of the said earle'—thus transferring the succession from Lord Lorne to the eldest son of the second marriage.

Great opposition seems to have been shown to this project, both in the interests of Lord Lorne and in that of his father's creditors, and for some time nothing was done in the matter.[3] Argyll's conversion to Catholicism and his disappearance from public life in this country resulted in the management of his great estates being intrusted to a number of the leading men of the clan, including his brother Sir John Campbell of Lundie and Campbell of Kilberry, who was specially responsible for Kintyre. Before long, however, he made his peace with the King, though he seems never to have returned to Scotland, where his place was taken by his eldest son Lord Lorne. Various obstacles seem to have been placed in the way of Argyll's desire to settle Kintyre on the eldest son of his second marriage—and even after he had obtained the King's consent thereto the Lords of the Privy Council for a time refused to carry out the royal instructions for expeding the infeftment. Their reasons are stated in a letter to the King dated 4 February 1624.[4] Notwithstanding this resistance Argyll

[1] *Reg. Mag. Sig.*, vol. 1609-20, *sub voce* Kintyre. [2] *Supra*, vol. i. 350.
[3] *P. C. Reg.*, xi. 224, 641; xiii. 626. [4] *Ibid.*, xiii. 626-627.

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at last had his way, and on 12 February 1626 a charter passed the Great Seal, narrating that in respect of the Act of 28 June 1617 the King ratified letters of procuratory and resignation made by Archibald, Earl of Argyll, Lord Campbell and Lorne, at Madreill (*sic*) 20 July 1624 in favour of James Campbell, the eldest lawful son of him and his wife Dame Anna Cornewallace, Countess of Argyll, and also the instrument of resignation following thereon dated at Tybollis (*sic*) 17 September 1624, and of new granted to the said James the lands and barony of Kintyre therein specified, all which he erected into the free lordship and barony of KINTYRE, and further creating 'dictum Jacobum ejus heredes masculos et successores in suprascriptis liberos DOMINOS ET BARONES EJUSDEM cum honore et stilo domini et baronis cum additione insignium potestate sedendi in parliamentis, etc.[1]

By the time he was of age Lord Kintyre had apparently taken possession of his patrimony, and he early showed a taste for adventure. The Western seas were at the time much infested by pirates—and one day in 1631 Lord Kintyre 'sett furth to sea ane great boate weill manned and appointed with all warrelike furniture, who rancountering with one of the pyrat shippes they entered perseute of the same, and after ane sharpe and cruell conflict whairin some were killed, they tooke the said pyrat ship,' an exploit for which he received the approval of the Privy Council.[2] Soon thereafter Lord Kintyre became desirous of parting with his troublesome inheritance. He is said to have first offered it to his half-brother Lord Lorne, who declined to purchase. He then proceeded to negotiate with the Earl of Antrim, who was naturally willing to recover that portion of his ancestral estates. The King's consent to the sale was given. The deeds were completed, and Lord Antrim paid £250 as the expenses of the transaction, and £1500 to account of the price. Lord Lorne had, however, changed his mind, and as the result of a series of characteristic intrigues which he set on foot, the Privy Council, which at that time had assumed to itself most extraordinary powers, interfered to prevent the transfer of the purchased estates.[3] The King as usual proved a broken reed, and his

[1] *Reg. Mag. Sig.* [2] *P. C. Reg.*, iv. 305. [3] *Ibid.*, v. 464.

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royal authority was obtained to an order for the destruction of the whole writs connected with the transaction.[1] A family arrangement was thereupon devised under which Lord Lorne received Kintyre from his brother, to whom he in turn conveyed the barony of Lundie in Forfarshire (which he had acquired a few years before) along with Glenelg, Arisaig, and Eig. The two Crown charters which give effect to this arrangement are both dated 12 December 1636.[2] Nothing seems definitely known of Lord Kintyre's proceedings during the next few years, though the general report is that he was in the French army and obtained considerable distinction.

He appears in his seat in Parliament on 7 August 1641, and again on 7 November of that year.[3]

On 28 March 1642 the King, who was then at York, created him EARL OF IRVINE and LORD LUNDY, with remainder to the heirs-male of his body.[4] On 20 April 1642 there was laid before the Privy Council a letter from the King stating that he had authorised Lord Irvine to raise a regiment of 4500 men for the service of the French King.[5] And the Council gave directions to various subordinate magistrates that they should apprehend such as ministers, kirk sessions and burgh magistrates might certify to be 'ydle persons and vagabonds,' and place them at Lord Irvine's disposal.[6] Spalding[7] tells how, on Wednesday 15 June 1642 a proclamation was made at 'the cross of New Aberdene for levying of four thousand and fyve hundreth soldiours'; and again, how on 10 September Lord Irvine, who was apparently attending to the matter in person, got forty men from Lord Huntly in Strathbogie —and then came to Aberdeen, where he 'wes blythlie banketed.'[8] His half-brother, now Marquess of Argyll, also interested himself in the undertaking,[9] which seems to have been fairly successful, for Sir Richard Browne, the Ambassador in Paris, in January 1643, estimates 'the whole numbers of the Scots who doe allready serve or have con-

[1] *P. C. Reg.*, vi. 389; *Fourth Rep. Hist. MSS. Com.*, App. 475. For the whole story see also Hill, *The Macdonnells of Antrim*, 238-246, and Willcock's *The Great Marquess of Argyll*, 19, and letters in App. iii. [2] *Reg. Mag. Sig.* [3] *Acta Parl. Scot.*, v. 331-426. [4] *Reg. Mag. Sig.* [5] *P. C. Reg.*, 2nd ser., vii. 248. [6] *Ibid.*, 390. [7] ii. 160. [8] *Ibid.*, 187. [9] *The Family of Rose of Kilravock*, 329.

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tracted to serve this Crowne at 9600—including the Earl of Erwin his new Regt. of Guard, consisting of 30 companies 4500,'—of these, he says, there are already in France 2000.[1]

For the spiritual wellbeing of his men he was licensed by the General Assembly to take over to France any two ministers he could persuade to accompany him, 'the one to be provyded in a thousand pound, the other a thousand marks, with entertainment to themselves, horse, and man.'[2]

The regiment thus raised was known as the Regiment des Gardes Escossois, and has accordingly been confused by various writers with the Scots bodyguard of the French Kings. Lord Irvine was succeeded as its colonel by Andrew Rutherford, afterwards Earl of Teviot, under whom it saw much fighting before it was broken up and incorporated with the Douglas regiment.

Money seems to have been scarce, for on 1 April 1643 a bond was executed at Rheims by Lord Irvine and many of his officers for 30,000 livres turnois, to be applied to the subsistence of the regiment while the King's pay was in arrear.[3] Lord Irvine must have soon returned to this country, possibly because of the political situation, for on 21 September 1644, by two deeds executed in London, he mortgaged the lands and barony of Lundy to Robert Murray, designed as *Mercator et factor Parisiensis in Gallia*, the creditor in the regimental bond above mentioned, who obtained a Crown charter thereof on 16 March 1646.[4] On 17 June 1645 Baillie writes from Worcester House, 'My Lord Irvine this day took a fitt of ane apoplexie; it's thought he cannot live long.'[5] And he certainly was dead by 16 March 1646, for in the charter above mentioned he is designed as 'quondam Jacobum Comitem de Irwing, Colonellum Satelitii Scoticani in regno Galliae.'

On his death without issue, as is believed, he was succeeded in the title of Kintyre by his half-brother Archibald, Marquess of Argyll, while the titles of Earl of Irvine and Lord Lundy became extinct.

[1] Evelyn's *Memoirs*, ii. 263. [2] Baillie's *Letters*, ii. 52. [3] *Proceedings of Society of Antiquaries*, 16 February 1859, iii. 220. [4] *Reg. Mag. Sig.* [5] Baillie's *Letters*, ii. 281.

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CREATIONS.—Lord Kintyre 12 February 1626; Earl of Irvine and Lord Lundy 28 March 1642.

ARMS.—No record of the Earl's arms has been found, but he probably bore the Argyll arms differenced with a crescent as a second son.

[J. R. N. M.]

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MACDONALD, LORD OF THE ISLES

THE descent of the family of the Isles has often been the subject of controversy among historians. The decided belief of the Clan Donald itself has always been in favour of a Scoto-Irish origin, while the Irish annalists, as well as the Highland bards and seanachies, favour the same view. Among these may be mentioned the MacVurichs, historians of the family of the Isles from the twelfth century, the author of the MS. of 1450, Dean Munro's MS. of 1549, the Annals of Ulster, the Annals of the Four Masters, the Annals of Tighernac, and the Books of Ballimote and of Leccan.

The Clan Donald were anciently known as *Siol Chuinn*, or the descendants of Conn of the Hundred Fights, High King of Ireland, who swayed the sceptre at Tara in the second century. They have also been known, and are known to the present day, as the *Clan Cholla*, or the descendants of Colla Uais, a later High King of Ireland. Descent from both has been the living belief of the clan for ages.

Fergus Mor, the son of Erc, one of the three brothers who, in the sixth century, founded the Scottish kingdom of Dalriada, was, according to the Albanic Duan and the MS.

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of 1450, fourth in descent from Colla Uais. Domnagart, the elder son of Fergus, was the ancestor of Kenneth MacAlpine and the succeeding line of Scottish Kings. Godfrey, the younger son, is claimed as the progenitor of the line from which the Clan Donald sprang, and was known in his day as Toshach of the Isles. Reginald, second Lord of the Isles, son of Somerled, is referred to as a descendant of Godfrey, Fergus, and Conn, in an ancient Irish poem relating to the Kingdom of the Isles, entitled *Baile, Suthain Sith Eamhna.*[1] Of the links between Godfrey and Somerled three at least are easily identified, Gillebride, Gilledomnan, and Imergi, the last very probably the Ichmare of the Saxon Chronicle, one of the three kings who submitted to Canut when he invaded Scotland in 1031. When the seat of government was transferred from Dalriada to Scone in the ninth century, the Clan Cholla, as the family nearest of kin to the Dalriadic throne, rose into consequence in Argyll and became the leading representative of the race in that region.

I. Somerled. All that is known of the early history of Somerled, the first of the family of the Isles in clearly historical times, is derived almost entirely from tradition embodied in the MS. histories of MacVurich, Hugh Macdonald, and other family seanachies. The MacVurichs, whose line of bards and historians to the Island Family go back almost to the time of Somerled himself, agree with the others in their account of his first appearance on the stage of history. When first referred to, he is living a quiet life in the district of Morven with his father Gillebride. Somewhat earlier than the middle of the twelfth century, it appears that a strenuous effort was made by the native tribes of Argyll to free themselves from the Scandinavian yoke under which they had so long chafed. What part Somerled played in the early part of this struggle does not appear, but finally the tribes made choice of him as their leader. After a series of skirmishes, the Scandinavians were driven to their galleys and retired in utter confusion from the mainland of Argyll to the Isles. Somerled's victory was the first successful rally which for

[1] *Book of Fermoy*, R. I. Academy.

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hundreds of years had been made by the Gael of the West against the Norwegian power.

Somerled having gained possession of the mainland territory of his family, assumed the title of Thane or Regulus of Argyll. But he was not satisfied with the conquest of Argyll. It became his settled policy to subdue the Kingdom of Man and the Isles as well. Meanwhile a temporary friendship was effected between him and Olave, King of Man and the Isles, through the marriage of Somerled and Ragnhildis, the daughter of Olave. This marriage, which took place in 1140, was, according to the author of the *Chronicles of Man*, the cause of the ultimate ruin of the Norwegian Kingdom of the Isles. On the death of Olave, in 1154, his son Godred succeeded him, and by his arbitrary and tyrannical exercise of power alienated the loyalty of the island chiefs. They proposed to Somerled, who readily assented, that his son Dugall, then a boy, be carried through the Isles and proclaimed king. Godred, who was in the Isle of Man, on being apprised of events in the Western Isles, equipped a considerable fleet, and forthwith proceeded to the Isles with the object of crushing the rebellion. Somerled met him on the north coast of Isla with a fleet of eighty sail, and on the night of Epiphany 1156, a long, obstinate, and sanguinary conflict took place between the fleets. The result was advantageous to Somerled, peace was concluded, and a treaty was formed between him and Godred by which the whole of the islands south of the Point of Ardnamurchan, along with Kintyre, which was then reckoned one of the islands, came into the possession of Somerled.[1] The peace was not of long duration. In the space of two years after the treaty, Somerled invaded the Isle of Man with fifty-three galleys, routed Godred, and laid the country waste. The whole kingdom of Man and the Isles now lay at the victor's feet.

Somerled comes again into view in the rising of Malcolm Macheth and his sons over their claim to the earldom of Moray. Somerled, who was connected with Malcolm Macheth by marriage, recognised the validity of his claim. He took up arms in support of Malcolm's sons in 1153, and such was the rigour with which he prosecuted the war that

[1] *Chronicles of Man.*

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King Malcolm IV. was obliged to come to terms with him in 1157, and Macheth's son Malcolm was invested with the earldom of Ross.[1] This event was considered of such importance that it marked an epoch in the history of Scottish charters.[2] Meanwhile Somerled obtained in Norway the title of 'King of the Sudreys.'[3] The peace concluded between King Malcolm and Somerled had lasted about seven years, when, in 1164, there was a renewal of hostilities. The latter gathered a great host, reckoned at 15,000 strong, from Ireland, Argyll, and the Isles, and with a fleet of 184 galleys sailed up the Clyde to Greenock, where he landed. Thence he marched to Renfrew, where the King's army lay encamped. The Scottish historians state that in the battle which ensued Somerled's army was defeated and he himself slain,[4] while the Highland chroniclers aver that no battle was fought, but that Somerled was treacherously assassinated in his tent, and that his followers dispersed without striking a blow.[5]

The body of Somerled was taken to Kintyre, and buried at the Abbey of Saddel, the building of which was begun by himself and afterwards completed by his son Reginald.[6]

Somerled married Ragnhildis, daughter of Olave, King of Man and the Isles, and had

1. Reginald, who carried on the succession.
2. *Dugall*, who inherited as his share of his father's territories Lorn, Mull, and Jura. Dugall had three sons, (1) *Dugal Scrag*, (2) *Duncan*, (3) *Uspac Hakon*. Dugall Scrag and Uspac Hakon died without issue. Duncan was succeeded by his son *Ewen*, or, as he is called in the Sagas, King John. John's line is said to have terminated in two heiresses, one of whom married the King of Norway, and the other, Juliana, married Alexander, Lord of the Isles.
3. *Angus*, who inherited Bute, with a part of Arran, and

[1] Skene's *Historians of Scotland*, iv.; Wyntoun, ii.; *Celtic Scotland*, i.; Hailes's *Annals*; *Chronicles of Holyrood*. [2] Innes Charter-chest, charter to Berowaldus Flandrensis . . . apud Perth in natali domini proximo post concordiam regis et Somerledi. [3] *Chron. Regum Manniæ*, ed. Munch., 80. [4] *Chronicles of Melrose*; Wyntoun; Fordoun. [5] MacVurich in the *Book of Clanranald*; Hugh Macdonald, the Sleat seanachie, and others. [6] *Originum Cisterciensium*, tom. i. P. Leopoldus Iananscheck, a work published by one of the fathers of the Cistercian order in Austria.

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the Rough Bounds (Garmoran) extending from Ardnamurchan to Glenelg. Angus and his three sons were killed in 1210 by the men of Skye.[1] *James*, the son of Angus, had a daughter *Jean*, who married Alexander, eldest son of Walter, Steward of Scotland. Walter, son of Alexander, married Marjory Bruce, whose son was Robert II. The descendants of Angus, son of Somerled, appear to be extinct in the male line.

Somerled had another son, *Gillicallum*, killed at Renfrew, who may have been by a former wife. Other sons are said to have been *Olave*, and *Gall Macsgillin*, progenitor of the Clan Gall of the Glens. He had also a daughter, *Beatrice*, who was Prioress of Iona.

II. Reginald, who succeeded Somerled, inherited as his patrimony Kintyre and Isla. He drove his brother Angus and his sons out of both Bute and Arran. On the death of Angus and his sons the mainland and island possessions of the sons of Somerled were pretty equally divided between the families of Reginald and Dugall. Reginald, according to the Irish historians, seems to have been popular both in Scotland and in Ireland, and to have been a man of peace. In or about the year 1180 he granted a charter to the monastery of Paisley, giving eight cows and two pennies for one year, and one penny in perpetuity from every house on his territories from which smoke issued.[2] In this charter he is styled Lord of the Isles, which is the first reference in any authentic document to this title as assumed by the family. He is also styled King of the Isles and Lord of Argyll and Kintyre.[3] His arms are thus described: 'In the middle of the seal on one side a ship filled with men-at-arms; on the reverse side, the figure of an armed man on horseback with a drawn sword in his hand.'[4] Reginald, on completing the Abbey of Saddel, granted to the monks the lands of Glensagadul and the twelve-mark lands of Balebean, in the lordship of Kintyre, and Oesken in Arran, and *unum denarium ex qualibet domo*.[5] He died in 1207,[6] having, it is said, married Fonia, daughter

[1] Annals of Ulster. [2] *Chart. of Paisley.* [3] *Ibid.*, 125; *Reg. Mag. Sig.*, xiv. No. 408. [4] *Chart. of Paisley.* [5] *Reg. Mag. Sig.* [6] *Book of Clanranald.*

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of the Earl of Moray, and granddaughter of Fergus, Prince of Galloway. The authority for this is not clear, and he is also said to have married 'Macrandel's daughter, or, as some say, a sister of Thomas Randel, Earl of Moray.'[1] This last is inadmissible, but Reginald may have married a daughter of Ranulph, son of Dungall, an ancestor of the famous Earl. By his wife he had

1. DONALD, after whom the Clan Donald are named.
2. *Roderick*, who played a conspicuous part in the history of his time.[2] To Roderick his father gave North Kintyre, Bute, and the lands of Garmoran, extending from Ardnamurchan to Glenelg, all of which formed the possessions of Angus, the son of Somerled. Roderick was the founder of the Clan Ruari, or family of Garmoran, of whom there were five heads, Roderick, Dugall, Allan, Roderick, and Reginald. The sister of the last on the failure of male issue carried the lands to the family of Clanranald.
3. *Dugall*, from whom the Clan Dugall are descended.
4. —— a daughter, said to have married Alan, Lord of Galloway.

III. DONALD, who succeeded, seems to have played a more active part in the politics of his time than his father had done. King Alexander II. had no sooner ascended the throne in 1214 than the old disturbers of the realm, the MacWilliams and Macheths rose in rebellion and received the ready assistance of the Lord of the Isles. Fired by resentment against the island chief, the King made a descent on Argyll in 1221, but his fleet was driven back by a storm, and the attempt to subjugate the district was for the time abandoned. In the following year the King fitted out a fresh expedition, and if John of Fordun and Wyntoun, who alone record the enterprise, are to be believed, he succeeded in enforcing the allegiance of the Celtic chiefs of Argyll. It is certain that the campaign made little or no impression on the power or position of the Lords of the Isles. Whether King Alexander would have pursued his

[1] *Collectanea de Rebus Albanicis*, 288. [2] *Invasion of Isle of Man*; *Mission to Norway*; *Haco's Expedition*.

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campaign further it is difficult to say, for death arrested all his plans in the island of Kerrara in 1249. Meanwhile the Lord of the Isles had secured the friendship of King Haco of Norway by successfully opposing the pretensions of Ewen of Lorn, who had invaded the Isle of Man and declared himself King.[1] This friendship with Norway continued until the close of the Norse occupation of the Isles. That Donald's life had been a stormy one, and not altogether free from the crimes and excesses common to that age, the traditional historian leads us to infer.[2] He tells how the island chief made a pilgrimage to Rome accompanied by seven priests, and having made confession of his crimes received the absolution he craved. Having obtained the forgiveness of the Church, Donald, following the example of his father, granted to the monks of Paisley eight cows for one year, and one penny, or eight cows as a permanent yearly payment for every house on his territories that emitted smoke.[3] In the charter conveying these grants he is styled Lord of the Isles.

Donald, Lord of the Isles, died about the middle of the thirteenth century, and was buried in Iona. He married a daughter of Walter, High Steward of Scotland, and had by her

1. Angus Mor.
2. *Alexander*, one of the witnesses to his brother's charter to Paisley Abbey, known as Alastair Mor. From him are descended the Alexanders of Menstrie, Earls of Stirling, and the Alexanders, Earls of Caledon, the MacAlisters of Loup, with their cadet families of Strathaird, Glenbarr, and Torrisdale.

IV. Angus Mor, son of Donald, succeeded. Once more the idea of annexing the Isles became the policy of the Crown, and Alexander III. used every means both by conciliation and aggression to bring the Celtic chiefs of the west under his control. He made special efforts to secure the allegiance of the Lord of the Isles. He held his infant son, Alexander, as hostage, and an instrument was drawn out declaring the instant forfeiture of Angus if he deserted

[1] *Chronicles of Man*; Torfæus. [2] Hugh Macdonald MS. [3] *Chart. of Paisley*.

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the King's cause.[1] The hollow allegiance proved of short duration. The Lord of the Isles as a matter of policy formed an alliance with the Norwegians, and he and his vassals played a prominent part in the expedition of Haco and the subsequent proceedings which resulted in the Battle of Largs.[2] The cession of the Isles, however, which took place three years after the battle, was accomplished, not by conquest, but by diplomatic negotiations, and the Lord of the Isles, notwithstanding the part he acted on the side of Norway, remained unmolested in the extensive territories of his family. By the Scottish treaty with Magnus IV. in 1266, the Lord of the Isles became a vassal of the Scottish Crown. His attitude towards the Crown, if not openly hostile, continued for some time unfriendly. In 1284, however, his relations with the government are indicated by his presence at the Convention of Estates held at Perth in that year, when the Maid of Norway was declared heiress to the throne. He was also, two years later, present with his son Alexander at another meeting at Turnberry, on 20 September 1286, convened by the partisans of Bruce, with the object of taking steps to prevent the succession of the Maid of Norway. Again in 1288, when the Council of the Regency came to be divided in opinion regarding the succession, the Lord of the Isles was one of those who formed a bond of association with James, High Steward of Scotland, and others, who favoured the claims of Bruce.[3] Angus continued steadfast in his support of the claims of Bruce, and was equally consistent in his opposition to those of Baliol.

In 1295 Angus granted to the Convent of Paisley one penny yearly from every house on his territories, and half a mark of silver from his own mansion.[4] He had previously, for the weal of the soul of King Alexander, granted to the monks of Paisley the church of Kilkerran, in Kintyre.[5]

Angus Mor, Lord of the Isles, died about 1296, and was buried at Iona. He married a daughter of Sir Colin Campbell of Lochow, and had by her:—

1. Alexander.

[1] Lord Chamberlain's Accounts. [2] *Hakonar Saga.* [3] *Clanranald Book.* [4] *Chart. of Paisley*, 127. [5] *Ibid.*

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2. Angus Og, to whom he gave the lordship of Kintyre, afterwards Lord of the Isles.
3. *John*, known as *Iain Sprangach*, progenitor of the Macdonalds of Ardnamurchan, who played an important part in the history of the Highlands, and disappeared as a territorial family in the first half of the seventeenth century.

V. Alexander appears for the first time on the historical stage with his father at the meeting already referred to at Turnberry to further the Bruce interest. When he appears again he is acting an entirely different character. By marriage he became closely allied with the family of Lorn, and through them associated with the English interest. In 1291 he took an oath of allegiance to the English King.[1] Many letters were addressed to him from the English court, and from the rewards which afterwards followed, the services which he rendered to the English cause seem to have been considerable.[2] When King Edward received the submission of the Scottish nobility in 1296, a grant of a hundred pounds' worth of land was given to the Lord of the Isles for his services.[3] At the same time he held the office of Admiral of the Western Isles under the English crown.[4] In 1308 he fought against Bruce in the district of Galloway, where the combined forces of Alexander and Sir Roland of Galloway were defeated by Edward Bruce. In the pursuit that followed Edward Bruce took prisoner 'The Prince of the Isles.'[5] Escaping from Edward's custody he took refuge in the stronghold of Castle Swein, in North Knapdale, where King Robert Bruce, fresh from his victory over Alexander of Lorn at the Pass of Bencruachan, besieged him, carrying him prisoner to Dundonald Castle, in Kintyre. Alexander at this stage disappears from the page of history. He is said to have died shortly thereafter in the Castle of Dundonald, when, on account of his opposition to the Bruce interest, his estates were forfeited and his descendants cut off from the succession for ever.

Alexander married Juliana of Lorn, and by her had six sons—*John Dubh*, *Reginald*, *Somerled*, *Angus*, *Godfrey*,

[1] Ayloffe's Cal. of Ancient Charters. [2] *Fœdera Angliæ.* [3] *Patent Roll*, 24 Ed. I. [4] Stevenson's *Historical Documents of Scotland*, ii. [5] Buchanan's *History*.

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and *Charles*. These sons found their way to Ireland, where they left numerous descendants.

VI. Angus Og succeeded his brother Alexander as Lord of the Isles. At the outset of the War of Independence he appears attached to the English interest, but before long he became a strenuous supporter of Bruce. In 1301 he was equally zealous with his brother Alexander in his efforts to hold the Western Isles in subjection to the English crown.[1] In 1306 there was a marked change. Bruce's coronation at Scone in that year was soon followed by his disastrous defeat at Methven, and there came shortly thereafter the unsuccessful encounter with MacDougall of Lorn at Dalry. In the course of his subsequent wanderings he found his way to Kintyre, and threw himself on the hospitality and friendship of the Lord of the Isles. Thus, when his fortunes were most depressed and his prospects of success least hopeful, and to all appearance nothing to gain but everything to lose, the Lord of the Isles espoused the cause of the fugitive King of Scotland. The Lord of the Isles received the King in his castle of Saddel, and afterwards, for greater security, took him first to the Castle of Dunaverty,[2] and then to the Island of Rathlin, on the Irish coast, where he was entertained and protected by the followers of the island lord. In the beginning of 1307 Bruce left Rathlin, and the Lord of the Isles sent a chosen body of Highlanders under the command of his cousin Donald, son of Alastair Mor, to meet the King in Arran. From that time the Lord of the Isles and the MacRuaris of Garmoran were closely associated with Bruce in the task of vindicating the independence of Scotland. At Bannockburn Angus led the attack of the Highlanders, variously estimated at from 5000 to 10,000 men, who with the men of Carrick, rushing upon the foe at the critical moment when the King brought up his reserves, settled the fortune of the day. The Lord of the Isles was amply rewarded by the King for his services. Besides Isla and Kintyre, the islands of Mull, Jura, Coll, and Tiree, and the districts of Glencoe, Morven, and Lochaber, were bestowed upon him.

[1] Letter from him to King Edward, *Rot. Scot.*, i. 40-41. [2] Barbour's *Bruce*.

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Angus, who was the hero of Scott's *Lord of the Isles*, died at Finlaggan Castle, in Isla, in 1330, and was buried at Iona, where his tombstone bears the inscription 'Hic jacet corpus Angusii Filii Domini Angusii MacDomhnill de Ila.'

Angus married Agnes, daughter of Guy O'Cathan of Ulster, with a tocher of 140 men out of every surname in O'Cathan's territory. By her he had:—

1. JOHN, his successor.
2. *Mary*, married to William, Earl of Ross.
3. *Finvola* or *Fingola*, married to John Stewart; a dispensation being issued in their favour on 14 January 1342-43, as they were related in the fourth degree both of kindred and affinity.[1]

He had another son, known as *John Fraoch*, progenitor of the Macdonalds of Glencoe, who is alleged by the seanachies to have been illegitimate. The mother of John was a daughter of Dougall MacHenry, a leading man in Glencoe. Alexander, the twelfth chieftain of this family, was the principal victim of the massacre of 1692.

VII. JOHN, who succeeded, was undoubtedly one of the most distinguished of his line. He did not, like his father, engage in a great epoch-making battle, but his long life illustrated the exercise of farsighted and on the whole successful diplomacy. Loyalty to the Scottish throne was a question of expediency rather than of principle with the descendant of a line of chiefs who regarded themselves as hereditary Kings of the Scottish Gael, as well as Lords of Innsegall. Seeking to exercise independent sway within the Celtic sphere, he clearly saw that English influence in Scotland with its natural correlative, a weak executive, would serve his purpose best. This undoubtedly was his chief motive in espousing the cause of Baliol. Randolph refused to confirm him in his possessions. Hence it was that on the 12 September 1335 John entered into a treaty of alliance with Edward Baliol, by which he was put into possession of the lands inherited by his father and others.[2] This led to an alliance with the English King which continued for several years, and in the records of 1337 are

[1] *Reg. Papal Letters*, iii. 87. [2] *Privy Seals* (Tower), 10 Ed. III. File 2.

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found frequent traces of friendly intercourse between them.[1] On the return of David Bruce from France to assume his father's sceptre, John was forfeited in the lands of Gigha, Isla, Jura, and Colonsay, all of which were granted by the King to Angus of Ardnamurchan.[2] When the King, however, resolved to invade England in 1346, wishing to bring the whole military force of the kingdom into action, he pardoned John and confirmed him in all his lands. John appears next fighting at the head of a strong body of Highlanders under the French banner at Poictiers in 1356.[3] The Scots contingent sustained great losses, and the Lord of the Isles was taken prisoner. From that time until December of the following year he was in captivity, for the most part in England, when he obtained a safe-conduct for his return home from the English King.[4] Two years after this he took a prominent part in promoting the treaty for the liberation and ransom of David II.[5] His marriage with the Stewart's daughter naturally led him to espouse the policy of that personage, and secured for him further favours from the Crown. In 1360 he was appointed Constable of Edinburgh Castle[6] and in 1364 he occupied the high office of Seneschall or High Steward of the King's Household during the imprisonment of Robert,[7] the Stewart, who had incurred the royal displeasure on account of his opposition to the King's marriage with Margaret Drummond or Logie.[8] The exactions in connection with the ransom of the King were found oppressive, especially in the Highlands, and John, though recently a high official under the Crown, refused to pay the tax, or attend the meeting of the Estates.[9] At last, after years of open and successful defiance, the High Steward prevailed upon the Lord of the Isles to meet the King at Inverness, where, in 1369, an instrument of allegiance was drawn up, and John submitted himself to the pleasure of the King.[10] After the accession of Robert II. in 1371, owing to the close connection by marriage with the reigning family the relations between the Crown and the Lord of the Isles were of a friendly nature. One of the first acts of King Robert was to con-

[1] *Rot. Scot.* [2] Charter in Haddington's Collection. [3] Scott's *History of Scotland.* [4] *Rot. Scot.*, i. 817. [5] *Ibid.* [6] *Exch. Rolls*, ii. 50. [7] *Ibid.*, ii. 135. [8] *Clan Donald*, i. [9] *Acta Parl. Scot.* [10] Robertson's *Parl. Records*, 115.

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firm to John the lands of Moidart, Arisaig, Morar, Knoydart, Uist, Barra, Rum, Eigg, and Harris.[1] He subsequently received several other charters of lands on the Mainland and in the Islands.[2] After this little is recorded of him in the annals of his house. He is known as the 'Good John of Isla' on account of his munificence to the Church. He died, according to the Annals of the Four Masters, at Ardtornish Castle in 1387, and was buried in Iona.

John married, first, about 1337, Amy or Euphemia, daughter of Roderick MacRuari of Garmoran,[3] and by her had:—

1. JOHN, who married Ellen, daughter of Gillespic Campbell, afterwards wife of Duncan, Earl of Lennox, and died *v.p.*[4] Their son *Angus* is mentioned as a hostage in the bond of submission given by the Lord of the Isles to David II. in 1369. There is no trace of any issue of Angus.
2. *Reginald*, ancestor of the Clanranald. Reginald handed over his right of succession to his half-brother Donald, eldest son of the second marriage. He succeeded his mother in the lands of Garmoran. These included Moidart, Arisaig, Morar, Knoydart, Eigg, Rum, Uist, and Harris. His father confirmed him in these lands by charter dated 1372, and added the lands of Sunart and Letterlochette, Ardgour, Hawlaste, and sixty-mark lands in Lochaber, all to be held of the Lord of the Isles and his heirs. This charter was afterwards confirmed by Robert II. in the same year. Reginald died at Castletirrim, his principal residence, in 1386, and was buried in Iona. He is said to have married a daughter of Walter Stewart, Earl of Atholl, but dates render this impossible, and his wife has not been ascertained. He had five sons, whether all of them by one marriage is not certain:—
   (1) *Allan*, who continued the line of Clanranald, now represented by Allan Douglas Macdonald, formerly captain R.A.
   (2) *Donald*, from whom the Macdonalds of Glengarry.
   (3) *John Dall*, who left one son *John*.
   (4) *Angus Riabhach*, of whose family there were three generations in possession of Morar and Benbecula.
   (5) *Dougall* of Sunart, from whom the Siol Dhughaill.

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[1] *Reg. Mag. Sig.* [2] *Clan Donald*, i. Appendix. [3] Letter from Pope Benedict XII. to the Bishop of St. Andrews, granting a dispensation, *The Clan Donald*, i. 111, 128. [4] Theiner, No. 700, p. 348.

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3. *Godfrey* received as his portion the lands of North Uist. In 1389 he granted a charter of lands in North Uist to the Monastery of Inchaffray, in which he styles himself Lord of Uist.

John, Lord of the Isles, married, secondly, Margaret, daughter of King Robert II.[1] and had by her:—

4. DONALD, his successor in the lordship of the Isles.
5. *John Mor*, known as Iain Mor Tainisteir. He received from his father a grant of 120-mark lands in Kintyre and 60-mark lands in Isla. His family became known as the Clann Iain Mhoir of Dunnyveg and the Glens, and in more modern times as the Macdonalds of Isla, or Clan Donald South. John Mor was assassinated in 1427. He married Margery Bisset, daughter of Sir Hugh Bisset, and heiress of the Seven Glens of Antrim, with issue.
6. *Angus*, died *s.p.*
7. *Alexander*, known as Alastair Carrach, from whom the Macdonalds of Keppoch. There were twenty successive heads of this well-known family. Chichester, the last of the line, died in 1848.
8. *Hugh*, who obtained from Robert II. before his accession to the throne a charter of the Thanage of Glentilt. He had issue.
9. *Marcus*, from whom are descended the Macdonalds of Cnocancluith, in Tyrone.
10. *Mary*, married to Lachlan Maclean of Duart. They were married before May 1367, when they had a dispensation legalising their union.[2]
11. *Elizabeth*,[3] married to Angus Dubh Mackay of Strathnaver.

VIII. DONALD, eldest son of his father's second marriage, succeeded as Lord of the Isles and head of the Clan Donald, with the consent of the men of the Isles. Reginald, his brother, yielded to him all the rights and privileges of the Island Lordship at Kildonan, in Eigg, and he was nominated

[1] Dispensation by Pope Clement VI., dated at Avignon 18 Kal. July 1350, *Reg. Papal Letters*, iii. 381. [2] *Reg. Papal Letters*, iv. 63. [3] She is also called *Margaret*, but her name is given as Elizabeth in a charter to her husband and son by her brother Donald, Lord of the Isles 8 October 1415; *The Book of Mackay*, by A. Mackay, 1906, 61, 375.

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Macdonald and Donald of Isla in presence of the principal men of the Isles.[1] The first mention of Donald in any record is in the year 1369, when he was given as a hostage to the King at Inverness.[2] His compulsory residence as a hostage in the castle of Dumbarton did not tend to make him loyal to the Scottish throne. From 1378 to 1408 he and his brothers are found frequently at the English Court.[3] He and Godfrey and John Mor, his brothers, entered into a league with Richard II. in 1388.[4] In 1400 he and John Mor entered into a defensive league with Henry IV.,[5] an alliance which was renewed in 1405 and 1406.[6] These show the relations with the Scottish throne somewhat strained, as indeed they were. This is proved by the attitude of Donald in 1398 in aiding the taking of the castle of Urquhart, which, with the lands of Urquhart, formed part of the earldom of Ross, in which Donald was interested. Donald appears again in the contest for the earldom in 1411. The heiress of line to the earldom of Ross, which had been destined to heirs-general, was Euphemia, daughter of Alexander Lesly, who succeeded to the dignity in 1402. The Countess's mother was Isabella, daughter of Robert, Duke of Albany, Regent of Scotland, who, for his own aggrandisement and that of his family, induced Euphemia to join a religious order, and resign her rights into his hands. Euphemia becoming a nun, resigned accordingly the earldom of Ross in favour of her maternal uncle, John Stewart, Earl of Buchan, son of the Regent. The rightful heir, however, was her father's sister Margaret, wife of Donald, Lord of the Isles, who now, as he could not otherwise obtain possession of the earldom, had recourse to the argument which was best understood in the brave days of old. Raising a large army, estimated at 10,000 strong, Donald invaded the earldom and took possession of the castle of Dingwall. From Dingwall he marched to Inverness and planted his standard in the Highland capital. Instead of standing on the defensive and guarding what he had gained, he again assumed the aggressive, and proceeded towards the town of Aberdeen, which, in the course of his quarrel with the Regent, he had threatened to burn. At

[1] MacVurich in the *Book of Clanranald.* [2] Robertson's *Parliamentary Records.* [3] *Rotuli Scotiæ.* [4] *Ibid.* [5] Rymer's *Fœdera.* [6] *Ibid.*

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Harlaw, some ten miles from the town of Aberdeen, on the 20th of June 1411, he was met by the gentlemen of Aberdeen, Angus, and the Mearns, under the leadership of Alexander, Earl of Mar, estimated at little more than a thousand men. A bloody battle ensued, the like of which had not been, according to the Scottish ballad, 'sin' King Kenneth's days.' There are no trustworthy records of this fight. Lowland historians, who cannot be freed from prejudice, agree generally in calling it a drawn battle, but it is inferred from the retreat that followed that the Earl of Mar and his host reaped the spoils of war. The facts worthy of notice are that the Earl of Mar himself lay covered with wounds on the field, and that five hundred of his small force lay dead around him, while the remainder lay mostly wounded, and were unable to renew the fight. The Lord of the Isles saw that nothing could be gained by pursuing the contest, and knowing that all Lowland Scotland was arrayed against him, he judged it the wisest policy to betake himself to the Isles. The Regent, with the forces of the Crown behind him, established his authority without any further opposition in Ross-shire. In the following year he, at the head of a considerable force, attacked Donald in Argyll.[1] The records of the time are meagre, but subsequent events indicate very clearly that Donald held his own, and that Albany was baffled in the effort to humble him. Albany, however, carried his point so far as the earldom of Ross was concerned, and Donald had to rest satisfied with his own island inheritance.[2] He died at his castle of Ardtornish, in Morven, in 1423.

Donald married Margaret, daughter of Sir Walter Lesly and Euphemia, Countess of Ross, and had by her:—

1. Alexander, his successor.
2. *Angus*, Bishop of the Isles.
3. A son, who was a monk.
4. He had also a daughter, *Anna*, for whom a dispensation was granted, on 30 October 1397, to marry Robert 'Duncani Maclagmayn.'[3]

[1] *Exchequer Rolls*; *The Chamberlain Rolls*. [2] There is preserved in the Register House in Edinburgh a charter by Donald, written in the Gaelic language and character, granting lands in Isla to Brian Vicar Mackay in 1408. [3] *Regesta Avinionensis*, 304, f. 522.

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IX. ALEXANDER. The first reference to Alexander on record is his presence as one of the 'assisers' at the trial and condemnation in 1426 of the Regent and his two sons and the Earl of Lennox.[1] To restore order in the Highlands, King James in the following year went north to Inverness at the head of a formidable army, and held a Parliament there, to which the Highland chiefs were summoned. Alexander of the Isles attended, and was detained a prisoner, while several others were put to death. After two months' confinement, Alexander, on his release, raised the standard of revolt, and at the head of an army, estimated at 10,000 men, invaded the Mainland. From Lochaber he marched to Inverness, consigned the town to the flames, and wasted the Crown lands in the neighbourhood. Having failed to take the castle of Inverness, he retired to Lochaber, whither he was followed by an army, led by the King in person. On the approach of the royal army the Camerons and Mackintoshes deserted the standard of the Lord of the Isles, and ranged themselves under the royal banner. Alexander was constrained to sue for peace, but the King insisted on unconditional surrender. Alexander, however, refused to surrender on these terms, and the pursuit by the King's troops became so hot that he was driven, step by step, to the very headquarters of the enemy's power. He at length presented himself before the King at Holyrood and made his submission.[2] On the intercession of the Queen, Alexander's life was spared, and he was committed a prisoner to Tantallon Castle. Meanwhile the Clan Donald and the vassals of the House of Isla assembled under the leadership of Donald Balloch, cousin of the imprisoned chief, and at Inverlochy, in the beginning of 1431, inflicted a severe defeat upon a royal army under the leadership of the Earls of Mar and Caithness. In October of the same year, during the rejoicings connected with the birth of an heir to the throne, the Lord of the Isles was restored to his freedom, dignities, and possessions. His accession to the earldom of Ross was delayed for some time. Since the death of the last Earl in 1424 the earldom remained in the Crown, and continued as

[1] Balfour's *Annals of Scotland*. [2] Fordun; Balfour's *Annals*.

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a Crown fief down to 1435.[1] In January of the following year Alexander granted a charter as Earl of Ross to Alexander M'Culloch of lands within the earldom.[2] In 1438 the Earl was appointed Justiciar of the whole region north of the Forth.[3] During the long minority of James II. his name appears frequently in record, and there is every reason to suppose that the confidence reposed in him was amply justified in the performance of his judicial duties. It should be remembered, however, that in 1445 he entered into the league with the Earls of Douglas and Crawford, which, for the parties concerned, bore such disastrous fruits.[4] He died at his castle of Dingwall 8 May 1449, and was buried in the Chanonry of Ross.

Alexander married, first, Elizabeth, daughter of Alexander Seton, lord of Gordon and Huntly, and had by her:—

1. JOHN, his successor.

By another marriage with a daughter of Macphee of Lochaber[5] he had:—

2. *Celestine* of Lochalsh. His father bestowed upon him the lands of Lochalsh, Lochcarron, and Lochbroom, in Wester Ross. His brother John confirmed him in these lands in 1463, and added others in Sutherland. This grant was afterwards confirmed by King James III. Celestine, who was Sheriff of Inverness and Keeper of Redcastle, died in 1476, having married Finvola, daughter of Lachlan Maclean of Duart. They had issue a son *Alexander* of the Isles of Lochalsh, who died leaving a son Sir *Donald* of the Isles, and two daughters, *Margaret*, retoured heir to her brother, married to Alister Macdonald of Glengarry, and *Janet*, married to Dingwell of Kildun, in each case with issue.[6]

By a union with the daughter of Gillepatrick Roy, son of Rory, son of the Green Abbot, Alexander, Earl of Ross, had:—

3. *Hugh*, of Sleat. In 1469 his brother John, Earl of Ross, granted to Hugh a charter of the lands of

[1] *Exch. Rolls*, iv. 541. [2] Advocates' Library. [3] *The Families of Innes*, 73; *Douglas Book*; *Exch. Rolls*. [4] Balfour's *Annals*. [5] MacVurich in *Book of Clanranald*. [6] *Acts and Decreets*, ccccxxxviii. ff. 188-190; cf. *Origines Parochiales*, ii. part 2.

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Skirhough, in South Uist, Benbecula, North Uist, and Sleat. This charter was afterwards confirmed by James IV.[1] The eighth chief of this family, Sir Donald Macdonald, was created a Baronet in 1625. Sir Alexander Macdonald, the ninth Baronet, was created an Irish peer in 1776 by the title of Lord Macdonald. The present Lord Macdonald, who is the twenty-first in succession from Hugh, is the male heir and representative of the last Lord of the Isles.

X. JOHN. He was a minor when he succeeded to his father's dignities and possessions. On the very threshold of his career he is found in league with the Earls of Douglas and Crawford for the dismemberment of the Kingdom. Acting in concert with these noblemen, he marched at the head of a large body of his vassals to Inverness. He captured in succession the castles of Inverness and Urquhart. Leaving these strongly garrisoned, he proceeded southward through Moray to Ruthven Castle, which he committed to the flames. The King, on discovering the treasonable league between the Earls, gave a commission to the Earl of Huntly to proceed against the Earl of Ross, but the formidable defence made by the latter struck terror into the invading host, and Huntly retired.

For these and other rebellious proceedings the Earl of Ross was deprived of the castles of Inverness and Urquhart in 1455.[2] Next year Urquhart Castle and lands were granted to him at an annual rent of £100.[3] To these were added the lands of Abertarff and Stratherrick and the lands of Grenane in Ayrshire.[4]

In 1457 the King appointed the Earl of Ross one of the Wardens of the Marches,[5] and as further proof of the King's confidence he was commissioned with others to conclude a truce with England.[6] This truce did not last long, and when, in 1460, James entered on his campaign against England, he was joined by the Earl of Ross at the head of

[1] *Reg. Mag. Sig.* [2] *Acta Parl. Scot.*, ii. 42. [3] *Exch. Rolls*, v. 217. [4] *Ibid.*, v. 222, and vi. 236. [5] Rymer's *Fœdera*, xi. 397. [6] *Ibid.*

3000 men. The unfortunate death of the King put an end to the campaign, and the Earl returned north without striking a blow.[1] The Earl of Ross once more became the victim of the Douglas faction. The forfeited Earl of Douglas, who had been undergoing his sentence of banishment at the English court, made overtures to the Earl of Ross for the formation of an offensive and defensive league with England. The English Commissioners appointed to treat met John and his council at the castle of Ardtornish in the spring of 1461. The treaty afterwards concluded between the parties, known as the Treaty of Ardtornish, was undoubtedly treasonable to the Scottish state. From its terms it appears that the object in view was the conquest of Scotland by the Earls of Ross and Douglas, assisted by the English King.[2] This remarkable compact between the parties required military measures to carry its provisions into effect. Angus Og, the Earl's son, and Donald Balloch, one of the parties to the treaty, at the head of the vassals of Ross and of the Isles, took possession of the castle of Inverness, and assumed regal powers over the northern counties. There is evidence that an English invasion was contemplated at the same time, but the Wars of the Roses absorbed the energies of the English King, and in default of the expected English help the northern rebellion collapsed. The Earl of Ross was summoned before the Parliament of 1463 to answer for his conduct, but he ignored the summons. The negotiations embodied in the Treaty of Ardtornish, which had remained a secret in the archives of the English Crown at Westminster, were at length disclosed, and the Earl of Ross was summoned to appear before Parliament in 1475 to answer for his treason. Failing to appear, he was forfeited in life, dignities, and possessions.[3] He, however, afterwards made a voluntary submission, and at a meeting of Parliament held on 1 July 1476 his dignities and possessions were restored to him, but he immediately resigned these into the hands of the King, who created him a Peer of Parliament by the title of LORD OF THE ISLES,[4] and confirmed him in the lands of the Lordship of the Isles, with the exception of Kintyre

[1] Lindsay's *History of Scotland*. [2] For terms of treaty, etc., see *Clan Donald*, i. [3] *Acta Parl. Scot.*, ii. 111. [4] *Reg. Mag. Sig.*

and Knapdale. His lands of Kintyre were afterwards reconveyed to him.[1] The insurrection in Ross and in the Isles which followed the forfeiture of 1476, and in which Angus Og and Alexander of Lochalsh, the Earl's son and nephew, were the principal actors, was the means of bringing the Island Lords again into conflict with the Government. He finally made a voluntary surrender of the Lordship of the Isles in 1494, and lived for the remainder of his life at the Scottish Court. In 1495 a payment of £133, 6s. 8d. for his maintenance and that of his servants occurs in the Edinburgh Customs Accounts.

The Lord of the Isles died at Dundee in 1498, and was buried in the tomb of his ancestor Robert II. in the Abbey of Paisley.

John, Lord of the Isles, married, before 8 February 1475-76, Elizabeth, eldest daughter of Lord Livingstone, Great Chamberlain of Scotland, without issue.

He had two natural sons, *John* and *Angus*, both of whom were legitimised in the charter bestowing the new patent of nobility upon their father, and declared his legal heirs. John died before his father without issue. *Angus*, who acted a prominent part in the struggles of the family in Ross and in the Isles after the forfeiture of 1476, is designated Master of the Isles and Lord of Troternish in a charter granted by him to the Abbey of Iona in 1485.[2] He was assassinated by an Irish harper at Inverness in 1490, having married Margaret Campbell, daughter of the Earl of Argyll, by whom he had a son, *Donald Dubh*, who was kept in close confinement by the family of Argyll almost all his life. On two occasions he escaped from their custody, and assuming the titles of Earl of Ross and Lord of the Isles, made an attempt in 1503, and again in 1545, supported on both occasions by the vassals of the Isles, to obtain the restoration of the family dignities and inheritance, but without success. He died at Drogheda in 1545, leaving a son, of whom no more is heard.

CREATION.—The actual creation of a Scottish Peerage under the title of Lord of the Isles did not take place till 15 July 1476.

[1] *Reg. Mag. Sig.* [2] Charter in Register House.

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ARMS.—The arms of the Lords of the Isles have varied from time to time. Angus of the Isles, son of Donald, bore on his seal a lymphad in waves, with four men seated therein, but this device is not on a shield.[1] Donald, the son of John, was apparently the first who bore a lymphad surmounted by an eagle, and, in right of his mother, he surrounded these charges with the royal tressure. He also bore as crest an eagle's head and neck between two wings, with two lions rampant as supporters. Alexander, Donald's son, bore quarterly: 1st, a lymphad surmounted of an eagle; 2nd, three lions rampant, for *Ross*; 3rd, three garbs, for *Buchan*; 4th, on a bend cotised with six crosses couped, three buckles, for *Leslie*.[2] His son John altered his arms from time to time. In 1449 his seal bears a shield quarterly: 1st and 4th, a lymphad under sail; 2nd and 3rd, three lions rampant. In 1464 he has the same charges, but the quarters are reversed, and the whole is surrounded by a royal tressure, and the shield supported by an eagle displayed, holding the upper portion in its beak. In 1471 his arms appear as: 1st, three lions rampant; 2nd, a lymphad under sail; 3rd, an eagle; 4th, a dexter hand issuing from the base holding a sword in bend sinister, all within a royal tressure. For crest he had an eagle regardant with wings expanded, and for supporters two lions rampant coué.[3] After his resignation of the earldom of Ross he resumed the simple coat borne by his ancestor Donald, a lymphad surmounted of an eagle displayed, all within a royal tressure; the shield supported by an eagle holding it in its beak.

[A. J. M.]

[1] Macdonald's *Armorial Seals*, No. 1792. [2] *Ibid.*, No. 1796. [3] *Ibid.*, Nos. 1798-1800.

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KER, LORD JEDBURGH

RESEARCH shows that Ker, (Kar, Kerr, Kerre, Car, Carr, Carre) as a surname is widely distributed, being found in Norway and France, as well as in England and Scotland. The origin and spread of the name, however, will be more fully discussed under the title of Roxburghe, the present Duke being representative in the female line of the elder branch of the Kers of Cessford, through Walter Kerr, the eldest surviving son of Andrew Ker of Altonburn and Cessford. The present Marquess of Lothian is the direct heir-male[1] of the same family, through Thomas Ker, the second surviving son, and is also the representative of the other great family of Ker of Ferniehirst which is dealt with in this article.[2] Family tradition alleges that these two families respectively descend from two brothers, Ralph and John, who settled near Jedburgh in or about the year 1330. The Kers of Ferniehirst claimed to be descended from the elder brother, and as one result a long contest for supremacy took place between the two families. A pedigree, tracing the descent from Ralph Ker, is prefixed to the article 'Lothian' in Wood's Douglas's *Peerage*, but its general

[1] It is impossible in the brief space here to demonstrate this, but it will be shown in the course of this article, and those on Lothian and Roxburghe. [2] For much information as to the younger branches of this family, the writer is indebted to several articles in the *Genealogist*, vol. ii., and the *Herald and Genealogist*, vi. and vii., by the late Mr. Stodart.

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accuracy is open to doubt.[1] This pedigree is mainly based on one by Sir George Mackenzie (which follows closely another by Lyon of Carse) so far down as Thomas Ker of Kershaugh and Ferniehirst.[2] But Douglas, or his editor Wood, is mistaken in continuing the line of Ferniehirst in the male line, Sir Thomas Ker having, according to Mackenzie, only had a daughter and heiress, Margaret, who married Thomas Ker of Smailholm, second surviving son of Andrew of Cessford and Altonburn. The last mentioned, who held these lands between 1445 and 1481, had six sons: *Andrew*, who died before his father, without male issue; *Walter*, who succeeded his father; THOMAS of Smailholm and Ferniehirst, of whom a notice follows; *Mr. Robert*, Abbot of Kelso; *William* of Yair, and *Ralph*. Of these sons

THOMAS KER of Smailholm and Ferniehirst, parted with the former place to the Homes. His identity has hitherto been confused with Thomas Ker, Abbot of Kelso, who was his son, by Mr. Stodart in his article on the Kers of Ferniehirst, already referred to.[3] Thomas Ker is first named in a Crown charter of 5 April 1474, granting to Walter Ker, son and heir-apparent of Andrew Ker of Cessford, the lands of Cessford, Huntleisland, Cavertoun, Altonburn, Primside, Smailholm, and others, to be held to Walter and his heirs, and successively to his brothers Thomas, William, and Ralph. This charter was renewed on 8 May 1481, when their father was still alive.[4] He appears to have held Smailholm as his part of the family estate, and some time before October 1483 he exchanged Smailholm for Crailing and Hownam, granted to him by John Home of Whitrig, brother of Alexander, afterwards second Lord Home. The transaction was completed by a precept of 27 October 1483, and charter of 24 May 1484, by Walter Ker of Cessford, confirming the grant by his brother Thomas Ker to John Home.[5] The proof of identity is

[1] Mr. Stodart gave good reasons for doubting parts of this pedigree (*Herald and Genealogist*, vii. 116), but he himself fell into error, as is shown below. [2] See note 3, p. 51. [3] Mr. Stodart also falls into the mistake of making Andrew Ker of Ferniehirst the youngest half-brother of Thomas instead of his eldest son, and confuses the two generations throughout. [4] *Reg. Mag. Sig.*, at dates. [5] Home Papers, *Twelfth Rep. Hist. MSS. Com.*, App. viii. 162, 163.

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completed by two documents: first, a charter of 23 June 1484[1] by the said Alexander Home, granting to Andrew Ker, his cousin or kinsman, son and heir of the now deceased Thomas Ker of Ferniehirst, the lands of Crailing and Hownam, which had belonged to John Home, the granter's brother, and were assigned by the said John to Andrew Ker in exchange for lands in Smailholm, delivered by the late Thomas Ker to John Home. The charter then names a series of heirs, of whom Walter Ker of Cessford, uncle (*patruus*) of the said Andrew was one. Second, the resignation of the same date which preceded the charter, describes Andrew Ker as the son of Thomas Ker of Smailholm, showing that Thomas Ker of Smailholm and Thomas Ker of Ferniehirst were the same person. The evidence is thus complete that Walter Ker of Cessford and Thomas Ker of Ferniehirst were brothers.

When the Douglases were exiled and their estates forfeited in 1455, their lands in Ettrick Forest came into the hands of the Crown, and were leased to a large number of tenants. Among these, in 1457, were Andrew Ker, who held Bowerhope and Ashysteil. In 1478-79 Ashysteil was leased to Thomas Ker, and after his death to Margaret Ker, his widow, and their son Andrew, who succeeded to Ferniehirst.[2]

According to Mackenzie and Lyon of Carse this Margaret was heiress of Ferniehirst, and Thomas Ker acquired Ferniehirst through his marriage with her. Although, as pointed out above, the general accuracy of the pedigree[3] given by Mackenzie is open to doubt, it seems likely that Thomas Ker acquired the place in this way, at any rate he was in possession in 1476, as he is then described as Thomas

[1] Recently discovered among the papers of the late Mr. John Riddell, and at present in the Signet Library. [2] *Exch. Rolls*, vi. 371, 372; viii. 583; ix. 618, 419. [3] Shortly, the pedigree given by Mackenzie is as follows (Lyon of Carse omits No. 4): 1. *Ralph*, 1330; 2. *Thomas*, of Kershaugh, *m.* a daughter of Somerville of Carnwath; 3. *Andrew*, cupbearer to King Robert III., *m.* a daughter of Edmistoun of that Ilk; 4. *Thomas*, *m.* Elizabeth, daughter of Home of that Ilk; 5. *Andrew*, 1450, *m.* Jean, daughter of Crichton of that Ilk; 6. *Ralph*, *m.* Mary, daughter of Towers of Inverleith; 7. *Andrew*, *m.* Mary, daughter of Lord Herries; 8. *Thomas*, who built Ferniehirst, and *m.* Catherine, daughter of Colville of Ochiltree; 9. *Margaret*, 'his only daughter and air quho maryed Thomas Ker of Smaleholme, son to Andrew Ker of Cesford.'

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Ker of Ferniehirst,[1] and there is no evidence to show how he could otherwise have obtained it. Unhappily the family charters appear to have been lost when the Castle of Edinburgh was taken by Sir William Drury in May 1573. A chest containing writs and evidents belonging to the then Sir Thomas Ker of Ferniehirst was found, and the contents were inventoried under the care of the English general. But when the general, later, requested delivery of Sir Thomas Ker's chest, the Regent Morton wholly refused, and would not give it up, declaring it was meet for the Earl of Angus. All that is now known of its contents is given in the list made by Sir William Drury, and sworn to by him, at Alnwick, on 12 July 1573.[2] That list shows that the lands of Ferniehirst were held by the Kers from the Earls of Angus, but at what time they received them does not appear.

Thomas Ker of Ferniehirst died in 1484, and not improbably between 23 May and 24 June of that year. He was certainly dead at the latter date.[3] He married Margaret Ker, who survived him, and by her had issue:—

1. Andrew Ker of Ferniehirst.
2. *Ralph Ker* of Prymsydeloch. Ralph Ker is mentioned in the charter already cited of 23 June 1484, next to his brother Andrew Ker, as son of the late Thomas Ker of Ferniehirst, and nephew of Walter Ker of Cessford. In a confirmation to Andrew Ker of the lands and barony of Oxnam of 17 January 1523-24, Ralph Ker is described as brother to Andrew Ker of Ferniehirst and to William Ker,[4] and his identity is further established by a decision of the Lords in Council, 10 February 1535, which 'assolzeis Andrew Ker of Prymsydlocht for himself and as air to umquhile Rauf Ker, brother to Andro Ker of Farnyhirst, umquhile of Prymsydlocht.'[5] He was executor of Robert Kerr of Cessford.[6] He must have died before 29 November 1525 (*see below*). He married, first, Margaret Murray, daughter of Murray of

[1] *Acta Auditorum.* [2] Instrument by Sir William Drury, in Record Office, London. [3] Home Report, *ut cit.*, 163; cf. *Exch. Rolls*, ix. 618. [4] *Reg. Mag. Sig.* [5] *Acta Dom. Conc. et Sess.*, vii. 104a, 104b. [6] *Reg. Mag. Sig.*, 21 Oct. 1502.

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Falahill;[1] secondly, Margaret Rutherford,[2] and had issue:[3]—

(1) Andrew Ker of Greenhead and Prymsydeloch, who died in or before 1541,[4] having had two sons, Gilbert, who died *v. p.* leaving issue, and Robert, ancestor of the Kers of Hietoun.[5] The arms of Ker of Hietoun were: 'A chevron charged with three mullets, in base a stag's head erased'; Motto, '*Fordward in the name of God*'; Supporters, 'Two savages.'[6]

(2) *Mr. George Ker*, mentioned as son of the late Ralph Ker in the Ferniehirst charter 21 May 1540.[7] He married a daughter of Shaw of Sauchie, and had a son, Thomas Ker, ancestor of the family of Ker of Cavers, who is mentioned as a son of Mr. George Ker, and grandson of Ralph Ker, in a ratification by the King, 31 May 1603.[8]

This branch is extinct in the male line, but is represented by Riddell-Carre of Cavers-Carre, who is also descended, through the female line, from Sir James Ker of Crailing.

Lord Sinclair is also descended, through the female line, from Carre of Cavers, and possesses the Nisbet estate, Berwickshire, by inheritance from Margaret, daughter of Sir Andrew Carre of Cavers. Carre of Cavers bore the differenced Ferniehirst coat: Gules, on a chevron argent three mullets of the field within a bordure chequy of the second and first; Crest, a stag's head erased proper, attired with ten tynes or; Motto, '*Tout droit*';[9] and he also bore the same coat, with a crescent in the dexter chief instead of the bordure.

(3) *William Ker*, Commendator of Kelso, murdered by Kers of Cessford.[10] William Ker is mentioned in the Ferniehirst charter 21 May 1540, next to his brother George. He died in August 1566.[11]

(4) *John Ker*, mentioned in Ferniehirst charter, 21 May 1540, next to his brother William.

The Greenhead arms were: Gules, on a chevron argent between a crescent in chief of the second and a stag's head in base or, three mullets of the first.[12]

3. *Mr. Thomas Ker*, third son of Thomas Ker of Ferniehirst, is mentioned in the charter of 23 June 1484, next to

[1] *Herald and Genealogist*, vi. 231; *Exch. Rolls*, xi. 403, 459. [2] *Reg. Mag. Sig.*, 6 May 1509. [3] On a tombstone at Bowden Church, the burial-place of Ker of Cavers, it is stated that Marion, daughter of Halliburton of Merton, was the wife of Ralph, the founder of this family; and Ralph is stated to be an elder brother of Thomas, Abbot of Kelso. It is possible, therefore, that Ralph of Prymsideloch had a third wife. Stodart, in *Genealogist*, iii. 110, makes Ralph Ker, the son of Ralph Ker of Prymsideloch, the founder of this family, but there seems to be no confirmation that Ralph Ker of Prymsideloch had a son called Ralph; in fact, the evidence is all against it. [4] *Herald and Genealogist*, vi. 232. [5] *Ibid.* [6] *Scottish Arms*, ii. 105. [7] *Reg. Mag. Sig.* [8] *Ibid.* [9] Tombstone, Bowden. [10] *Genealogist*, iii. 110. [11] *Liber de Calchou*, xvi. [12] *Lyon Reg.*

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his brother Ralph. He is not, however, included in the later Ferniehirst charters, probably because he entered holy orders, and it is no doubt he who as Mr. Thomas Ker, Rector of Yetholme, is a witness to royal charters in 1505 and 1506.[1] He is a witness to the confirmation of the charter of half Oxnam to Andrew Ker of Ferniehirst 31 December 1511.[2] After the battle of Flodden he came into prominence, and thenceforward was one of the most powerful men on the Border. Lord Dacre, writing to Henry VIII. from Harbotill, 13 November 1513, says: 'A brother of Dand Ker's of Ferniehirst has forced his way into the Abbey of Kelso.'[3] In 1515 there is a letter in the name of King James V. (then three years old), to the Pope, in which he recommends Thomas Carr for the Abbacy of the Benedictine Monastery of Kelso in the diocese of St. Andrew, vacant by the translation of Andrew, Bishop of Caithness.[4] On 17 August 1517, Albany writes to Leo X. that he has nominated Thomas Car, a monk of good family and a native of the place, to the Abbey of Kelso.[5] Andrew Stewart, Bishop of Caithness, held this office *in commendam* until his death in June 1517,[6] although Thomas Ker seems to have assumed the office by force before this date. The date of Thomas Ker's succession to the office is given as 2 December 1517.[7] Thomas Ker, Abbot of Kelso, 'a right sadde and wise man,'[8] was one of those principally concerned in carrying on the negotiations of truce with England in 1519 and several succeeding years, as appears chiefly from the English correspondence of the period. He died before 14 August 1539.[9] The date of the appointment of his successor is given as 22 August 1541.[10]

4. *George Ker*, mentioned next to his brother Thomas in the charter of 23 June 1484. He was alive 14 August 1539, when he was one of the witnesses to the confirmation of a charter to the late Thomas, Abbot of

[1] *Reg. Mag. Sig.* [2] *Ibid.* [3] *Letters and State Papers Henry VIII.*, No. 4556. [4] *Ibid.*, ii. 775. [5] *Ibid.*, ii. 3594. [6] *Herald and Gen.*, vii. 125. *Eccl. Sucn.*, i. 168. [8] Magnus to Wolsey, Cotton MS. Calig. B. ii. 59. *Reg. Mag. Sig.* [10] *Epis. Sucn.*, i. 168.

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Kelso, and is there described as Mr. George Ker, brother-german of the said abbot, *Praepositus de Dunglas unus dominorum concilii regis.*[1]

5. *William Ker* of Langlie and Gillistongues is mentioned as the brother of Andrew Ker of Ferniehirst in the charter of 23 June 1484, next in order to his brother George. On 14 August 1537 he had a grant from his brother Ralph of the lands of Langlie and Gillistongues.[2] He is frequently mentioned on record, and had in 1566 a grant of the abbacy of Dryburgh.[3] He does not appear to have left issue.

Sir Andrew Ker of Ferniehirst. Robert Colville of Ochiltree granted a precept of clare constat to Andrew Ker, heir of the deceased Thomas Ker of Ferniehirst, his father, in the half lands of Feuallroul, 28 April 1485.[4]

The first mention of him as 'of Ferniehirst' is in 1493 as surety for Adam Kirktoune,[5] so that he probably succeeded his mother before this date, his father having died before 1484.[6]

The office of Warden of the Middle Marches seems to have been held alternately by Cessford and Ferniehirst. As early as 1502 fees were paid to Andrew, Ralph, and Mark Ker as Wardens of the Middle Marches after the death of Walter Ker of Cessford.[7]

On 5 May 1509 Robert Colville of Ochiltree sold to Andrew Ker of Ferniehirst half the lands and barony of Oxnam.[8] His brother Ralph Ker of Prymsideloch was one of the witnesses. The dispute between the houses of Ferniehirst and Cessford for precedency commenced about this time. Andrew Ker of Ferniehirst appears to have claimed the chieftainship as heir of line of the elder branch, through his mother Margaret Ker. The dispute between the two branches of the family was not, however, confined to this, but was also for the offices of Warden of the Middle Marches and Provost of Jedburgh, and for the Commendatorship of Kelso Abbey. It con-

[1] *Reg. Mag. Sig.* [2] Confirmed 26 Aug. 1539, *ibid.* [3] Ferniehirst Papers, 1527-1621, 28. [4] Inventar of Charter-chest, N. A. [5] *Herald and Gen.*, vii. 126. [6] *Exch. Rolls*, vi. 372. [7] *Ibid.*, xii. 115. [8] Confirmed 6 May 1509. *Reg. Mag. Sig.*

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tinued for generations, and led in the earlier stages to the murders of William Ker, Commendator of Kelso in 1566, and of Robert Ker of Ancram in 1591 by the Cessford Kerrs.[1] Andrew must have been imprisoned about this time, as on 14 August 1511 a remission was granted to Andrew Ker of Ferniehirst of the fines of his ward in connection with his imprisonment and of all his previous faults, etc.[2]

On 30 December 1511 Margaret Colville, daughter and sole heir of the late William Colville of Ochiltree, with consent of Robert Colville her tutor, sold to Andrew Ker of Ferniehirst her half of the lands and barony of Oxnam (the lands of Heytoun and Maxtoun excepted),[3] and he had a confirmation of the lands of Ferniehirst the same year. On 26 November 1513 he was in Parliament.[4]

In 1519 or 1520 a difference occurred between the Earl of Angus and Ker of Ferniehirst, the latter claiming the right of holding courts in Jedburgh Forest as Hereditary Bailiff of the Abbey of Jedburgh. The dispute might have been amicably settled, but Sir James Hamilton, a bastard son of Arran, determined to come with an armed force to Ferniehirst's assistance. Ker of Cessford, who was Warden of the Middle Marches, either in the performance of his duty or else taking the side against his kinsman and namesake (Drummond of Hawthornden[5] assigns the latter motive), fell upon Hamilton near Kelso, scattered his followers, and slew several of his personal retainers. Hamilton himself escaped to Home Castle. This affray was known as the Raid of Jedwood Forest. Next day Ferniehirst held his court in the Tolbooth of Jedburgh as Bailie to Angus, whilst Angus held a court of his own three miles out of the town. This dispute led to the noted skirmish between the Douglases and Hamiltons in the streets of Edinburgh known as 'Cleanse the Causeway,' 30 April 1520, in which Arran and his retainers were worsted by Angus.[6]

The dispute for the chieftainship and other matters kept the two branches of the family at variance. On 19 Feb-

[1] *Gen.*, ii. 380. [2] Ferniehirst Papers, 1505-1597, 2, N. A. [3] Confirmed 31 December, *Reg. Mag. Sig.* [4] *Acta Parl. Scot.*, 281b. [5] *Hist. of Scotland*, 2nd ed., 263. [6] *Orig. Parochiales Scot.*, 381; *Roxburgh, Selkirk, and Peebles*, by Sir George Douglas, 256.

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ruary 1520, an indented minute was made at Heespethgait in accordance with a commission directed to Thomas, Lord Dacre on one side, and Thomas, Abbot of Kelso on the other, whereby Dacre and Andrew Ker of Cessford met at Heespethgait and filed four bills; on Ker's objecting the disobedience of Andrew Ker, Laird of Ferniehirst, it was agreed that Dacre should demand his submission of the Council of Scotland.[1]

In 1522 Andrew appears to have been on the side of Albany, who had returned to Scotland 21 November 1521, after an absence of four years in France. He seems to have met with an accident which prevented his meeting Dacre on Albany's business, as the latter writes to Dacre from Dunbar, 17 January 1522, that 'Andrew Car of Fernyhirst, fell one the is of ane horse and is in bed impotent. Will send Buccleuch as soon as he comes with Mark Carr.'[2]

On 17 January 1523-24, the King confirmed a charter to Andrew Ker of Ferniehirst of the lands and barony of Oxnam, etc., to hold the same to the said Andrew for his life, and after his death to Thomas Ker his son and heir-apparent, whom failing, to John Ker, brother of the said Thomas, whom failing, to Robert Ker, brother of the same, and their heirs, whom failing, to Ralph Ker, brother of the said Andrew, whom failing, to William Ker, brother of the said Andrew, etc.[3] In 1523 Ferniehirst Castle was taken by the Earl of Surrey with about 800 men, of which a graphic account is given by Surrey, alleging that the English were intimidated by 'spirits and fearful sights,' and that the Devil was among them six times. The noted Dand Ker was one of the captives,[4] and it must have been some consolation to him that he had not only inflicted severe losses on his assailants, but that the nerves of his 'mortal foe' Dacre were so greatly shaken.

The castle was rebuilt and garrisoned by the English.[5] King James v. being scarcely better than a captive in the hands of the Earl of Angus and the Douglases, Andrew Ker of Ferniehirst did not think it necessary to pay obedience to their mandates; on which account a summons of treason was raised against him for not attending the Earl of

[1] *State Papers, Henry VIII.*, iii. 1171. [2] *Ibid.*, No. 1949. [3] *Reg. Mag. Sig.* [4] Ridpath, 515. [5] *Orig. Parochiales Scot.*, 386.

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Angus, Lieutenant and Warden of the Marches, for not compearing before the King and Council, and for engaging in factions against His Majesty. He appeared personally in presence of the King and Estates in Parliament (20 July 1526), when he was declared clean and innocent of all the points and articles contained in the said summons.[1] In spite of the quarrel between them, both Andrew Ker of Ferniehirst and Andrew Ker of Cessford went to the assistance of Angus when, on 25 July 1526, he was returning with James from doing justice on the Border thieves at Jedburgh, and was attacked by Scott of Buccleuch. It was in the pursuit of Buccleuch that Ker of Cessford was killed, which gave rise to a blood feud between Kers and Scotts which lasted unabated for a century, and in its after effects even longer.

On 13 August 1526, he had the King's confirmation of a charter by Margaret Haliburton, younger daughter of one of the heirs-female of the Lord Dirleton, of her part of the land of West Fentoun, the dominical lands of Dirleton and parts of the barony of Seggie, etc.[2] On 20 April 1528 he had a Crown charter of the lands of Bedrule.[3] He held the lands of Ferniehirst of the Earl of Angus, but on the forfeiture of the Earl had a charter of the same from the King 5 September 1528.[4] He held the office of Guardian of the Middle Marches, and was one of the commissioners to treat of a peace with the English 4 December 1528, and signed the indenture of truce 12 December 1528.[5] On 21 September 1528 he and John his son and apparent heir were appointed Bailies of the monastery lands of Jedburgh.[6] On 4 February 1533 Andrew Ker granted to Janet Home, his spouse, the lands of Over Crailing and Hownam in liferent.[7] He had a nineteen years' tack of the Kirk of Innerleithen 1529.[8]

On 21 May 1540, as Guardian of the King's Middle Marches, Andrew Ker had a charter of the lands of Ferniehirst, Carrosheuch, etc., in Jedburgh Forest, with remainder to John and Robert Ker his sons, George Ker, son of the late Ralph Ker, William and John, brothers of George, and

[1] Rec. Parl., 560; *Acta Parl. Scot.*, ii. 303-304. [2] *Reg. Mag. Sig.*, date of charter 10 August 1526, Charter-room, N. A. [3] *Ibid.* [4] *Reg. Mag. Sig.* [5] Rymer's *Fœdera*, O. xiv. 275-276. [6] Charter-room, N. A. [7] *Ibid.* [8] Ferniehirst Papers, 1537-1607, N. A.

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William Ker, brother-german of the said Andrew Ker of Ferniehirst, and the heirs-male of their bodies respectively.[1]

On 2 December 1540, he infeft Janet Home his spouse in the lands of Maxwellhauch.[2] In 1541 he is frequently mentioned as Warden of the Middle Marches, and it is stated that there was no love between him and Lord Maxwell.[3] He had a Crown charter of part of Bedrule, with the patronage of the church, 7 November 1541.[4] He had a grant by King James of the bailiary of Jedburgh Forest in 1542 to himself and John Ker his son, being a confirmation of that office, which had long been held by him.[5] Besides these he had various minor grants.

About 1545 Robyn Ker, his third son, wrote to Lord Shrewsbury saying that his father was 'crasit and secklie,' and asking him to state on what sureties he would allow his brother John Ker to come home in order that he may speak with his father, who is in great despair of his life.[6]

He was still alive on 4 October 1545,[7] but died soon after, having been knighted after January 1543.[8] He married Janet, second daughter of Sir Patrick Home of Polwarth, before 6 November 1501. She had a charter, 5 October 1543, from her son Robert Ker of Woodhead of an annualrent out of houses in Jedburgh.[9] Andrew had issue by his wife Janet Home:—

1. *Thomas*, named in the charter of 17 January 1523-24, already cited, as their son and heir, but he died in that year.[10]
2. Sir John of Ferniehirst, of whom hereafter.
3. *Robert* of Woodheid and Ancram. (*See title* Lothian.)
4. *Janet*, married about 26 November 1519,[11] to George Turnbull of Bedrule. She was alive in 1546.[12]
5. *Isobel*, married to Sir Walter Ker of Cessford.
6. *Christian*, married to Sir James Douglas of Cavers.[13]
7. *Margaret*, married, first, to James Menzies, first of

[1] *Reg. Mag. Sig.* [2] Charter-room, N. A. [3] Hamilton Papers, i. 78, 79, 121, etc. [4] *Reg. Mag. Sig.* [5] Ferniehirst Papers, 1505-1597, 6, N. A. [6] Single private letters, vol. ii. Brit. Museum, Addl. 32656, f. 148. [7] *Acta Parl. Scot.*, ii. 361. [8] *Gen.*, ii. 282. [9] N. A. Charter-chest. [10] *Gen.*, ii. 282. [11] *Reg. Mag. Sig.* [12] *Acta Dom. Conc. et Sessionis*, xx ff., 86, 115-116. [13] *Gen.*, ii. 282; Wilson's *Hawick*.

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the family of Culdares, co. Perth; secondly, to Hay of Smithfield, co. Peebles, and had issue by both.[1]

Sir John Ker of Ferniehirst, the second but eldest surviving son of Sir Andrew Ker, succeeded his father. Previous to that he had a charter of some lands in the town of Langton, in Roxburghshire, 3 January 1524-25.

He was present in Parliament 1 August 1546.[2] On 30 May 1547, he had a precept of clare constat by James Douglas of Cavers to John Ker as heir to the said Andrew Ker of Ferniehirst, his father, in the lands of Feualroull.[3] In the same year he had a nineteen years' tack of Innerleithen and Little Newton,[4] and he assigned to his two sons William and Andrew before his death a title of the teinds of his former tack.[5]

In the autumn of 1547 Hertford, now Somerset, and Protector of the realm, for the third time set foot in Scotland. Many Scottish gentlemen tendered their submission to him at Newcastle before he reached the Border. Sir George Douglas made some attempt to obstruct the advance of Somerset's army on his castle of Dunglas.[6] Ferniehirst hovered on the skirts of the enemy and had on one occasion a close chase for his life, but there was no organised resistance. After the Scots defeat at Pinkie, the English army proceeded to Roxburgh, and the lairds of Ferniehirst, Cessford, and many other Kers tendered their submission.[7]

In July 1548, however, the French sent over a number of mercenaries to assist in driving the English out of Scotland, and soon after that time Ferniehirst Castle, which had been held by the English for a considerable time, was retaken by the Kers, aided by some of the French auxiliaries. Sir John was Warden of the Middle Marches, and received the honour of Knighthood from the Duke of Chatelherault in 1548, for his good services in restraining the incursion of the English on the Borders.[8] He was retoured heir to Andrew Ker of Ferniehirst, his father, in the lands of St. Thomas's Chapel on 24 May 1547 and 8 March 1551.[9] A

[1] *Gen.*, ii. 282; Book of Funeral Escutcheons. [2] *Acta Parl. Scot.*, xi. 526. [3] Inventar of Charter-chest, N. A. [4] Ferniehirst Papers, 1537-1697, N. A. [5] *Ibid.* [6] Sir George Douglas says Dand Ker, but he was dead; *Roxburgh, Selkirk, and Peebles*, 288. [7] *Ibid.*, 289. [8] Holinshed, 349. [9] Inventar of Charter-chest, N. A.

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remission under the Great Seal was granted to John Ker and others for appearing in arms against the Governor Arran, 27 October 1549.[1] Alexander, Lord Home, on 6 September 1550, infeft John Ker of Ferniehirst and Catherine his spouse in the lands of Over Crailing.[2]

On 13 July 1553, John Ker of Ferniehirst and other Kers received a remission under the Great Seal for the murder of Walter Scott of Branxholm, Knight, committed in October 1552,[3] and later, 2 January 1553-54, they were ordered to enter their persons in ward in the Palace of Linlithgow, then to remain at their own expenses until released.[4]

On 25 May 1556, Sir John Ker of Ferniehirst, Knight, had a gift by Archibald, Earl of Angus, of the non-entry etc., of the lands of Ferniehirst.[5] On the 17 June 1557, John Ker of Ferniehirst, Knight, petitioned Queen Mary, stating in spite of the agreement lately made between the surnames of the Kers, Scotts, Trumbles, and Rutherfords for keeping peace, Thomas Turnbull of Bedrule on the 31st of May last had come on to his lands and 'cruelly invaded' three of his servants for their slaughter, 'and gave them several bauch straikis on their bodies,' they being unarmed at the time, with other complaints, and praying her Majesty to cause their persons to appear to answer for their conduct, etc. Indorsed is a warrant subscribed by Queen Mary charging them to appear 10 of July next.[6]

Sir John Ker was tenant of Ashystele 6 May 1555.[7]

In August 1560 a commission of the Estates to move Queen Elizabeth of England to take the Earl of Arran to her husband was subscribed by Ferniehirst and Cessford amongst others.[8] Sir John Ker was heritable Bailie of Jedburgh.[9] He died in 1562, having married Catherine, eldest daughter of Sir Andrew Ker of Cessford. They had issue:—

1. Sir Thomas Ker of Ferniehirst.
2. *Andrew Ker* of Nethergogar, who is mentioned in a

[1] Charter-room, N. A. [2] *Ibid.* [3] *Reg. Mag. Sig.* [4] Ferniehirst Papers, 1505-1597, A. 19, N. A. [5] Orig. charter N. A. Charter-room. [6] Ferniehirst Papers, 1505-1597, 25 N. A. [7] *Exch. Rolls*, xviii. 372. [8] *Acta Parl. Scot.*, ii. 605. [9] *Gen.*, ii. 282.

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minute of the Regality Court of Cavers, in connection with a tack of the kirks of Innerleithen and Little Newton 2 November 1554.[1] He was dead 24 August 1581, when his brother John is called his heir in a contract with the Makdougals;[2] his male line is extinct.

3. *William Ker*, who was a great Royalist, and adhered firmly to the interest of Queen Mary, who for his good and faithful services was pleased, in 1561, to settle on him a pension of 500 merks. He was mentioned in the same minute of the Regality Court of Cavers as his brother Andrew, 2 November 1554. He was living in 1561, when he had a suit about some claims to the abbey lands of Kelso.[3] He died without issue.[4]
4. *John*, alive 31 October 1581, when a gift of a pension of 500 merks to him out of the profits of the Abbey of Kelso, by Mary, Queen Regent, was ratified by Queen Mary.[5]
5. *Margaret*, married to William, Lord Hay of Yester.[6]
6. *Elizabeth*, married to Andrew, younger son of Walter Lundin of that Ilk.[7]

Sir Thomas Ker of Ferniehirst, the eldest son, succeeded his father in 1562; in the same year John Maxwell of Terregles gave sasine to Sir Thomas Ker of Ferniehirst of two parts of the lands of Feualroull as heir of the late Sir John his father, and on 16 October 1563 Sir Thomas Ker gave sasine to Janet Ker, his daughter, of the half lands of Feualroull.[8] On 6 October 1563 Sir Thomas Ker of Ferniehirst was charged by his mother, Dame Catherine Ker, to desist from troubling her in the leading of her teinds of Over Crailing, and he offered Matthew Campbell of Loudoun as cautioner that he would obey.[9] On 25 May 1563 a sasine was given to Sir Thomas Ker of Ferniehirst, as heir to his father, in the lands of St. Thomas's Chapel, and on 26 June 1565 an agreement was made between Sir Thomas Ker and Gilbert Ker about the lands of Maxwellhaugh.[10]

[1] Charter-room, N. A. [2] *Gen.*, ii. 282. [3] *Ibid.*, [4] *Ibid.* [5] *Ibid.* [6] *Ibid.* [7] *Ibid.* *Reg. of Deeds*, xxi. 235. [8] Inventar of Charter-chest, N. A. [9] Charter-room, N. A. [10] Inventar of Charter-chest, N.A.

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Douglas says he was a man of great probity and honour; a steady friend and a most loyal servant to Queen Mary, who considered him as one of her most trusty and powerful adherents. He suffered at different periods of his life fourteen years' banishment on her account, and never deserted her cause to the last. In October 1565 he attended the Queen and Darnley to Dumfries to assist in quelling the insurrection of Moray and other nobles. Upon this occasion Mary commanded him to raise the Royal Standard at the head of his followers, and placed herself under his immediate protection.

On 15 September 1566, Queen Mary ratified the liferent tack of the teinds of Innerleithen, granted to Sir Thomas and Andrew his son by James Cunninghame, son to Alexander, Earl of Glencairn, and a five-years' tack to the said Andrew of the same teinds by the late William, Commendator of Kelso.[1] These teinds are mentioned in a will made by Sir Thomas Ker, 8 October 1565, 'being in readiness to pass forward to Dumfries.' He constituted Janet Kirkaldy, his spouse, his only executrix and intromittrix with his goods, etc., and made Andrew Ker, his son and apparent heir, whom failing, Janet Ker, his daughter, his assignees to his tack of the teinds of Innerleithen and Little Newton, with William, Lord Hay of Yester, and Robert Ker of Wodheid as tutors-testamentary and assistants to his spouse in the nomination of the said goods.[2] On 2 December 1569, a contract was made between Sir Thomas Ker, Knight (described of Oxnam), for himself and for Sir Robert Ker of Woodhead, his uncle, and for others, and Sir Walter Scott of Branxholm anent the slaughter of the late Walter Scott of Branxholm. There had been a previous contract on the 3 March 1564-65, between the Kers and Scotts from which the Laird of Ferniehirst and Sir Robert Ker of Woodhead had been specially excepted. The effect of these contracts was that the Laird of Buccleuch should not pursue the Lairds of Ferniehirst and Cessford and others 'under the present appointment, neither criminal nor civil, for any slaughter or blude committit in tyme past.' The Laird of Cessford had to go to the parish kirk of Edinburgh, to ask pardon.[3]

[1] Ferniehirst Papers, 1505-1597, 45, N. A. [2] *Ibid.*, A. 43, N. A. [3] Charter-room, N.A.

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Sir Thomas Ker joined the Queen at Hamilton on her escape from Lochleven in May 1568. On 16 August 1569, Queen Mary wrote to him professing her esteem for him, and that affairs will go well while he keeps good order in his bounds, and enjoining him to give ready service. 'Fail not to give our commendations to Sir Andrew Car and all other our good friends in these parts. Your richt good and assured frind, Marie R.'[1] In the same year, 1569, there was a rising of the Catholic party in the north of England which was speedily suppressed, and the Earl of Westmorland with others who had been implicated in the rebellion found a temporary asylum at Ferniehirst or Branxholm.[2] Robert Constable, an English spy, describes how on gaining admission to Ferniehirst's house in Jedburgh, he found assembled there 'many guests of divers factions—some outlaws of England, some of Scotland, some neighbours thereabout.' They were drinking ale and playing at cards for 'placks' and 'hardheads.'[3]

The day after the murder of the Regent Moray, in January 1570, Ker and Sir Walter Scott of Buccleuch entered England with fire and sword, and by way of retaliation the Earl of Sussex and Lord Hunsdon, in April that year, entered Scotland, demolished the Castle of

[1] Volume of royal letters at Newbattle Abbey. [2] The Earls of Northumberland and Westmorland had to retire with a few followers to the north of the Border to Liddesdale. Westmorland found a temporary asylum under the roof of the Black Laird of Ormiston, while Northumberland and his wife were the guests of an Armstrong, known as 'Jock o' the Side,' who was one of the most notorious of the Liddesdale freebooters. Their hosts, however, spread a report that Moray's troopers were coming to take them prisoners, and Northumberland and Westmorland and a handful of men fled towards the Debatable Land disguised as moss-troopers. Lady Northumberland was too ill to be moved from the hut of Jock o' the Side, but honest Jock and his fellow-outlaws promised the Earl that she should be treated with the utmost care and courtesy. No sooner were the Earls out of the way than the men of Liddesdale, headed by Black Ormiston, broke into the hut where Lady Northumberland lay, and utterly regardless of her ill-health, pillaged her of well-nigh everything that she possessed. Lady Northumberland lay there racked with fever until the new year. At length on 6 January a kindly Scots gentleman, Ker of Ferniehirst, vindicated the chivalry of the Border-side by riding at his own risk into Liddesdale and succouring the Countess. His action had the effect of arousing all Scotland to a sense of the heroism of Lady Northumberland, and of the inhuman treatment from which she and her loyal adherents had suffered. Brenan's *History of the House of Percy*, 307, 310. [3] *Roxburgh, Selkirk, and Peebles*, 314.

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Ferniehirst, and ravaged the neighbouring country. On 28 March 1571, Ferniehirst wrote to Sir John Foster, Knight, the English Warden, that Sir John at a meeting with the young Laird of Cessford had signified a desire that Ferniehirst's 'brother,' the Laird of Buccleuch, should satisfy him in writing whether he was inclined to keep his peace and goodwill between the two realms, and he (Ferniehirst) assured him they were, and promising that none in their possessions should invade or trouble the subjects of England within his bounds, and if they do, that they shall be given up 'to be usit as extremely as ye please by the laws of the Border,' reserving the like privilege to themselves.[1] In September 1571 he was one of those who attacked the Convention or Parliament of Stirling, when in the conflict the Earl of Lennox was killed.

Sir Thomas Ker was forfeited 28 August 1571, and later he joined his father-in-law, the gallant Kirkaldy, in the defence of the Castle of Edinburgh. That fortress was closely invested by the forces of Sir William Drury, the English commander, who had joined the Regent, and after performing prodigies of valour Kirkaldy surrendered to Drury, on 29 May 1573, on promise of good treatment. In spite of this assurance, however, Kirkaldy and his brother were hanged at the Cross of Edinburgh. Sir Thomas Ker had taken his family charter-chest with him to the Castle, and on its surrender the chest was seized by the Regent Morton and never recovered. An inventory, however, was made up when the chest was handed over to Drury. Amongst the documents in it was 'ane wryte of the Quene's, subscryvit with her owne hande, promising by the word of a prince to give infeoffment to the said Sir Thomas and his heirs heretablie in any landis he pleasit pertaining to the Earl of Angus and Mortoune and Mr. James Mcgyll, and any land in her handis by way of fourfalture except Douglasdale and Dalkeith.' Morton handed over the chest to Angus, and it is not surprising that it was retained. Before long the last-named Earl had grants of Ker's forfeited lands of Ashiesteil and Crailing, and others.[2]

After the fall of Edinburgh Castle, Queen Mary, being a

[1] Ferniehirst Papers, 1505-1597, 52. [2] *Reg. Mag. Sig.*, 28 and 31 December 1574.

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prisoner in England, Sir Thomas Ker seems for the time to have despaired of her cause. There is a document at the British Museum undated and unsigned, which must have been written about this time. 'The humble suit of Thomas Carr, late of Pharneyhirste Knight to the Lord Regent's Grace of Scotland,' the purport of which is that as the Queen has been deprived of her authority, he acknowledges the Earl of Morton as Regent, and that 'he will serve his Grace, so far as a subject ought to obey a Regent enduring my said Sovereign's non-age and minority.' There is nothing to show whether the petition was presented or not, but in any case, soon after this, Sir Thomas Ker was obliged to seek refuge in France, Spain, and Holland. King James VI., however, no sooner took the government upon himself than he gave Sir Thomas liberty to return home in 1579; and being perfectly sensible that his loyalty and attachment to his mother's interest had been his greatest crime, his Majesty restored him to the possession of his whole estate in 1581.[1] 'The Benefitt of Pacification' granted to him is dated 29 November 1581.[2]

Amongst the papers at Newbattle Abbey there is a protection, dated 14 February 1579-80, to Sir Thomas Ker, sometime of Ferniehirst, for two years after his return from France.[3] In 1581 he was elected Provost of Jedburgh at the King's command.[4] In October 1581 he petitioned the Council that certain Rutherfords and others, owners of his land in various places, should not have the letters of restoration set aside.[5] Soon after this he was again compelled to fly his country, but he obtained a full and ample remission from His Majesty under the Great Seal, 26 November 1583.[6]

On the 15 January 1582-83 Sir Thomas Ker granted a power of attorney for relief of certain debts contracted by him in France and in Scotland, and for other expenses while he should remain in France or elsewhere, as also for upholding his household and family, to his spouse Dame Janet Scott.[7] On 16 November 1584 there is a charter by Thomas Ker of Ferniehirst, Knight, and Andrew Ker, his eldest law-

[1] Ferniehirst Papers, 1527-1621, 31. [2] *Acta Parl. Scot.*, iii. 281. [3] Ferniehirst Papers, 1527-1621, 29. [4] *Ibid.*, 1505-1697, 62. [5] *Ibid.*, 1527-1621, B. 36, N. A. [6] *Reg. Mag. Sig.* [7] Ferniehirst Papers, 1505-1597, 64.

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ful son, in fulfilment of a contract made by them, James, Earl of Arran, Chancellor, and Annie Stewart, daughter of the late Andrew, Master of Ochiltree, whereby they grant to Thomas Ker, eldest lawful son of the said Thomas Ker of Ferniehirst, and Dame Janet Scott, his spouse, the lands of Oxnamcraig and others.[1]

On 13 November 1584 there are letters of charge to the late Warden Clerk to deliver to Sir Thomas Ker of Ferniehirst, Knight, books, etc., belonging to the office of Warden of the Middle March.[2]

On 4th January 1584-85 King James wrote to the Laird of Ferniehirst requiring proclamation to be made to conform to the Queen of England's desire that a meeting should be held with the opposite Warden for making mutual redress; and that he should propose to the Barons their manner of obedience to the King and his Warden, so that they might be proceeded against in case of failure.[3] On 11 February 1584-85 Stewart, Earl of Arran, wrote informing Ker that the King approved of a meeting and agreement with the opposite Warden.[4] Accordingly, about midsummer 1585, Sir Thomas Ker and Sir John Forster, the Scottish and English Wardens, met according to the custom of the Borders, but unhappily an accidental fray arose and Francis, Lord Russell, son of the Earl of Bedford and son-in-law of Sir John Forster, was killed.[5] Elizabeth insisted that both Ker and Arran should be delivered up to her, and although James eluded that demand, he was obliged to confine Arran in St. Andrews and Ker in Aberdeen,[6] where he died in March 1685-86,[7] and he was buried there by his own command.[8]

Sir Thomas Ker (then designed of Oxnam) married, first (contract 10 February 1561-62), Janet, daughter and heir of Sir William Kirkaldy of Grange; her tocher was 3510 merks. The children of this marriage were:—

1. Andrew, first Lord Jedburgh, of whom hereafter.
2. *William* Ker, *alias* Kirkaldy of Grange, who succeeded under a family arrangement to the estates in the

[1] Original charter, N. A. [2] Ferniehirst Papers, 1527-1621, 55. [3] *Ibid.*, 1505-1597, 73. [4] *Ibid.*, 75. [5] Foster at first admitted the occurrence was accidental, though afterwards, under political pressure, he stated it was a design formed by Ker at the instigation of Arran. [6] *Ibid.*; Robertson's *Hist. Scot.*, iii. 26; *Border Papers*, I. xvi. 189. [7] *Gen.* ii. 285. [8] There is a portrait of Sir Thomas Ker at Nisbet House near Duns.

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county of Fife of his mother's family, and assumed the surname and arms of Kirkaldy. In deed of 9 May 1586, he is styled brother of Andrew Ker of Ferniehirst.[1] He died between 24 December 1593 and 13 January 1598-99, having married (contract 14 February 1586-87) Elizabeth, daughter of John Lyon, Lord Glamis, Lord High Chancellor of Scotland. She was living on 19 February 1607, when she made an assignation as Elizabeth Lyon, Lady Grange, to Jean Ker, her daughter, of 300 merks due by Sir Andrew Ker of Ferniehirst.[2] They had issue:—

(1) *William*, mentioned in confirmation of charter 13 January 1598-99. He predeceased his younger brother.

(2) *Alexander* Ker. Both he and his brother seem to have dropped the surname of Kirkaldy, the estate having been conveyed to the heir-male of his grandmother's family.[3] He had issue:—

i. *John* Ker, who was heir-male of the Ferniehirst family in 1654, and established his status by three different general services on 24 June in that year. He is therein described as John Ker, son to Alexander Ker, heir-male of Andrew Ker, Master of Jedburgh, his 'guidsire's brother son' and heir-male of Andrew, Lord Jedburgh, his guidsire's brother, and as heir-male of Sir Thomas Ker of Ferniehirst, Knight, his grandsire.[4] Neither John Ker, nor his father, appear to have claimed or assumed the Peerage. John was dead without male issue before 15 September 1669.[5]

(3) *Jean*, mentioned in the confirmation charter 13 January 1598-99; alive 19 February 1607. (*See above.*)

(4) *Isobel*, mentioned in the same charter.

3. *Mary*, married to James Douglas, Commendator of Melrose, second son of William, Earl of Morton, and had issue. Mentioned in a discharge by her husband, dated at Oxnam Craig, one of her father's houses, 8 January 1587, for part payment of her marriage portion. She is elsewhere designed as sister of the Ladies Haddington and Balmerino.[6]

4. *Julian*, married, first, to Sir Patrick Home, of Polwarth, Master of the Household of James VI.;[7] secondly, as his third wife, in September 1613, to Thomas Hamilton, first Earl of Haddington, and had issue by both. She died 30 March 1637.[8]

[1] *Gen.*, ii. 286. [2] Ferniehirst Papers, 1602-1656, 7. [3] *Gen.* ii. 287. [4] *Retours Gen.*, Nos. 5, 3924, 3926, 3928. [5] *Gen.* ii. 287. [6] *Ibid.*, 283. [7] *Ibid.* [8] *Ibid.*

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5. *Margaret*, married (contract 24 and 28 October 1584[1]) to Robert, second Lord of Melville of Monymail, and died *s. p.* 24 May 1594.

Sir Thomas Ker married, secondly, in 1569, Janet, sister of Sir Walter Scott of Buccleuch, daughter of William Scott, younger of Branxholm and Buccleuch.[2] By her he had issue:—

6. *Thomas* of Oxnam and Over Crailing, eldest son of the second marriage,[3] who with his servant was killed at Jedburgh Fair, 14 September 1601, by the Turnbulls[4] of Minto and others, for which Andrew Turnbull was beheaded. Thomas Ker died without issue.[5]

7. *Sir James* of Crailing was, on 29 October 1603, served heir-special to his brother Thomas in the lands and lordship of Oxnam, the lands of Over Crailing, etc.[6] On 14 June 1611 he had a Crown charter to Sir James Ker of Over Crailing, Knight, of the lands of Maxwellhaugh, etc., which Robert, Viscount Rochester resigned.[7] These lands were part of those forfeited by John, Lord Maxwell, and were the oldest possession of his family in Scotland. They were divided amongst the Kers, Sir Andrew Ker of Ferniehirst acquiring half the barony of Maxwell, Sir Andrew Ker of Greenhead and Sir James Ker of Crailing getting Maxwellhaugh, etc.[8]

In 1617, Robert, brother and heir of John, Lord Maxwell, was restored, and the three Kers made a protest that this act of restoration should not prejudice their rights to any of these lands, which they retained possession of.[9]

On the 18 January 1627 Sir James had a Crown charter of the lands and barony of Grubet, the lands of Kirkyettem, etc., which Nicholas Rutherford of Hundalie, with the consent of Martha Stewart, his wife, and Andrew Rutherford their son and heir, resigned, to be held to the said Sir James, and to the heirs-male of him and Dame Mary Rutherford, his spouse, whom failing, to the heirs-male of the said

[1] Melville Charter-chest. [2] *Gen.*, ii. 283. [3] *Rec. Sec. Sig.*, iv. 87. [4] *Gen. Reg. Inhib.*, xl. 76. [5] *Gen.*, ii. 283. [6] *Retours, Rox.*, 19. [7] *Reg. Mag. Sig.* [8] *Gen.*, ii. 287. [9] *Ibid.*

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James, whom failing, to Robert, Earl of Somerset, Lord Rochester, brother-german of the said James, etc., whom failing, to Andrew, Lord Jedburgh, brother-german of the said James, etc., whom failing, to Andrew Morton of Jedburgh, etc., whom failing, to the heirs-male of the said Sir James and his assignees whatsoever.[1] Sir James Ker, then designed of Hundalie, represented the county of Roxburgh in Parliament 1630. Sir James died in 1645, having married Mary, daughter and heiress of James Rutherford of Hundalie, in the parish of Jedburgh, which place had belonged to her ancestors from the middle of the fifteenth century.[2] He had issue:—

(1) ROBERT, Lord Jedburgh, of whom presently.
(2) *Jean*, married to John Ker of West Nisbet, a younger son of the Cavers family. Their son, John Kerr of Cavers, was, 3 February 1693, served heir of Robert, Lord Jedburgh, his uncle, in the lands of Hundallie and Eshtries, with the castle and the lordship of Jedburgh Forest and other property.[3]

8. *Robert Ker* or *Carre*, the celebrated favourite of James VI., mentioned in 'a Decision,' dated 26 April 1595, in connection with the lands of Redden, as Robert Ker, son of Sir Thomas Ker and Dame Janet Scott. He served the King in the quality of page; was in 1604, a Groom of the Bedchamber, with £20 salary.[4] He attended his Majesty into England, and was invested with the Order of the Bath at his coronation. After that, for his further improvement, he went to France, where he spent four years in attaining languages, and perfecting himself in the exercises then most in vogue. He came to the court of England in 1607. He was constituted High Treasurer of Scotland in 1613; created Viscount of Rochester 25 March 1612; installed Knight of the Garter 13 May 1611;[5] Earl of Somerset and Baron of Brancepeth 3 November 1613; had the office of Chamberlain of the Household and Privy Councillor, 1613. There was a rumour that Carre was to marry

[1] *Reg. Mag. Sig.* [2] *Gen.*, ii. 287. [3] *Retours Rox.*, 306; *Retours Gen.*, 7334. [4] *Gen.*, ii. 283. [5] Nicholas, *Orders of Knighthood*, ii. lxv.

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Lady Anne Clifford, the richest heiress in England, but this match did not take place.[1] He was married, 26 December 1613, in the chapel of Whitehall, in the presence of the King and Queen, to Lady Frances Howard, third daughter of Thomas, first Earl of Suffolk, K.G., Lord High Treasurer of England, the divorced wife of Robert, Earl of Essex. He and his Countess were tried for, and convicted of, the murder of Sir Thomas Overbury, 24 May 1616. They were both sentenced to death, but were only imprisoned. He was freed from imprisonment in the Tower 17 January 1621-22,[2] but ordered to be confined to the house of Viscount Wallingford. He obtained a pardon under the Great Seal 7 October 1624.[3] Both he and the Earl of Ancram had friendly intercourse with another Carre family. Sir Robert Carr of Sleaford, in Lincolnshire, early in his married life, when he had daughters only, had made a remarkable settlement of his castle and estates upon the Earl of Ancram, conditional upon either of Lord Ancram's sons, Charles Ker or Stanley Ker, marrying one of these young ladies. This settlement, which was attested by six of the great Ministers of State, was afterwards as solemnly revoked on the birth of a son.[4] The Earl of Somerset died in London in July 1645, and was buried on the seventeenth of that month in St. Paul's, Covent Garden. By his wife, Lady Frances Howard, who died 23 August 1632, he had issue one daughter:[5]—

(1) *Lady Anne Carre*, born 9 December 1615 in the Tower; baptized at St. Martin's, Ludgate, 16 December 1615; married, 11 July 1637, to William, first Duke of Bedford, and was the mother of Lord Russell.[6]

9. *Anne*, married, contract 30 August 1613, to John Elphinstone, second Lord Balmerino, who is said by Scotstarvet to have assisted his brother-in-law Somerset, after his ruin, by becoming security for him, and paying the encumbrances on his Scottish estates.[7]

[1] *Gen.*, ii. 283. [2] Rymer, xvii. O. 349. [3] *Ibid.*, 625. [4] Paper by M. P. Moore, F.S.A., *The Sleaford Gazette*, June 6, 1863. [5] *Gen.*, ii. 284. [6] *Ibid.* [7] *Ibid.*, 285.

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She was probably born during her father's exile in France 1573 to 1579.[1] She died at Edinburgh 27 February 1649-50, and was buried at Restalrig.

I. Sir Andrew Ker, first Lord Jedburgh, succeeded his father, Sir Thomas Ker of Ferniehirst, in 1586. He had had in 1566 a five-years' tack of the Kirks of Innerleithen and Little Newton,[2] and the next year there is a citation by him against the tenants of Innerleithen.[3] In 1585 there is an assignation by Sir Thomas Ker, his father, to him of his right to the Kirk of Little Newton.[4]

On 29 July 1587 the name of the Laird of Ferniehirst occurs on the roll of names of landlords and others dwelling on the Borders, and in the Highlands, where 'brokin men' are dwelling.[5] During his minority his kinsman William Ker of Ancram exerted himself to uphold the interest of the family; in so doing he offended 'the Lady Cessford.' This led to the murder of Ker by her son, Robert Ker of Cessford, afterwards Earl of Roxburghe, in December 1590.

Andrew Ker, son and heir-apparent of Sir Thomas Ker of Ferniehirst, had a grant in feu-farm of East and West Nisbets from the King 5 September 1584.[6]

Amongst the Newbattle Papers there is a signature for a regrant, signed by King James, to Andrew Ker, eldest son and apparent heir of Sir Thomas Ker of Ferniehirst, Knight, and to Anna Stewart, his spouse, of the lands of Oxnam Craig, etc., also of all the lands of Ferniehirst, Corrisheuch, and others, in 1585. He had a charter of the office of bailiary of the lands and baronies to the Monastery of Jedburgh 15 March 1587-88,[7] and sasine of the same 10 November 1588, on a Crown precept from Chancery, which narrates that the deceased Andrew Ker of Ferniehirst, John Ker of Ferniehirst, and (Thomas) Ker of Ferniehirst, great grandfather, grandfather, and father of the said Andrew Ker, were bailies foresaid, and that to him also the office has been granted.[8] He was appointed one of the Gentlemen of the Bedchamber of King James VI. 1591.

[1] *Corresp. Earls of Ancram and Lothian*, i. 86. [2] Ferniehirst Papers, 1537-1607. [3] *Ibid.* [4] *Ibid.* [5] *Acta Parl. Scot.*, iii. 465. [6] *Reg. Mag. Sig.* [7] *Ibid.* [8] Charter-room, N. A.

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The retour of Andrew Ker of Ferniehirst to the deceased Sir Thomas is dated 21 October 1595.[1]

In 1601 a fight took place in Jedburgh between the Kers of Ferniehirst and the Turnbulls, when Thomas Ker of Crailing, Robert Turnbull of Bewlie, and John Middlemast were killed, and several persons wounded. Sir Andrew Ker, as provost of the burgh, arrested the murderers of his brother, one of whom was capitally punished; but he, his brother James, James Ker of Lyntellie, and others of their kinsmen and followers, were brought to trial the same year for the slaughter of those who suffered on the other side. The Earl of Angus, as Lord of the Regality of Jedburgh, claimed the right to try Sir Andrew and the others, as dwelling within his Regality. The King's Advocate denied this, but it was proved that Ferniehirst lay within the Regality. He then alleged that Sir Andrew, as Provost of a Royal Burgh, could not be repledged, and eventually Angus withdrew his claim of jurisdiction, except as regards James Ker of Lyntellie and his son, but, under protest, the case was delayed, and apparently never pursued as against the Kers.[2]

He was knighted previous to the year 1604, as is shown by an acknowledgment by Alexander, Lord Home, Commendator of the Abbacy of Jedburgh, of the receipt from the hands of Dame Anna Stewart, in name and behalf of Sir Andrew Ker of Ferniehirst, Knight, her spouse, of full payment of the teinds uplifted by the said Andrew Ker, dated January 1604.[3]

On 7 June 1608 the King confirmed the charter by Sir Andrew Ker of Ferniehirst, Knight, and Sir Andrew Ker of Oxnam, Knight, his son and apparent heir, made to Sir Robert Ker, Knight, one of the Gentlemen of his Bedchamber, of the £10-lands of Ferniehirst, etc., reserving to Andrew the trees, etc., to hold the same of William, Earl of Angus, and his heirs,[4] also a charter of the 26 and 27 May 1608, by William, Earl of Angus, confirming the above, as well as other charters by Andrew Ker of Ferniehirst, father and son, made to the said Robert,

[1] 'Inventar' Charter-chest, N. A.; *Special Retours Rox.*, 4. [2] *Gen.*, ii. 285-286. [3] Ferniehirst Papers, 1602-1656, 5. [4] Dated at Edinburgh 20 May 1608.

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etc., of the lands of Rickiltoun and Oxnam, 20 May 1608.[1]

Andrew, Lord Jedburgh, was served heir, 8 November 1625, to Sir Thomas Ker of Ferniehirst, his father, in the lands of Wellis, Welshawheed, etc.,[2] and on 28 May 1628 he was served heir to his son Andrew, Master of Jedburgh, one of the Senators of the College of Justice, in the lands of Feuelrule, etc.,[3] and on 8 May 1629 he was served heir to his father in the lands of Langtoun, Oxnam, half Maxwellhaugh, etc.,[4] and on the same day to his son in the lands of Eschesteill.[5]

From a letter to Sir Andrew Ker from his son, Sir Andrew Ker of Oxnam, dated Dalzidoche, 19 January 1609, it appears that they were both abroad, and hoped to meet in Paris.[6]

There seems to have been frequent correspondence about this time with Robert Ker, afterwards Earl of Somerset, who was at this time in London at Court. In a letter to Sir Andrew about 1610 Sir Robert Ker writes that the King is willing to confer the title of Lord Jedburgh upon him if a certain marriage takes place,[7] but that otherwise the family may not have sufficient to support the title.[8]

A remission under the Great Seal was granted 21 September 1615, to Sir Andrew Ker of Ferniehirst, Sir Andrew Ker of Oxnam, Sir James Ker of Crailing, and George Moscrope, Provost of Jedburgh, for fire-raising and slaughter in the burgh of Jedburgh, intercommuning with Francis, Earl of Bothwell, etc.[9]

On 21 July 1611 he had a charter from Robert, Viscount Rochester, of the lands of Maxwellhaugh and others to himself in liferent, and to Sir Andrew Ker of Oxnam, his son, in fee, which charter was confirmed by the King 4 December 1612,[10] and on 10 February 1614 he had a ratification to himself in liferent, and to Andrew Ker of Oxnam, Knight, in fee, of the lands of Ashysteill.[11]

On 26 July 1616 he had a charter of novodamus of the lands of Swineside, etc.[12] In 1618 he had an invitation from

[1] *Reg. Mag. Sig.* [2] *Inquis. Ret. Rox.*, 129. [3] *Ibid.*, 141. [4] *Ibid.*, 140. [5] *Ibid.*, 43. [6] Ferniehirst Papers, 1602-1656, 12. [7] Probably that of the Master of Jedburgh. [8] Ferniehirst Papers, 1602-1656, 22. [9] Charter-room, N. A. [10] 'Inventar' of Charter-chest, N. A.; *Reg. Mag. Sig.* [11] *Ibid.* [12] *Ibid.*

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the Earl of Roxburghe, his kinsman, to attend the marriage of his daughter with Lord Perth,[1] which shows that more friendly relations existed between the two branches of the family at this time. He had a charter to Andrew Ker of Oxnam, Knight, of the lands of Fewroull, etc., in the barony of Cavers, which William Douglas of Cavers resigned, and which the King incorporated into the free barony of Fewroull.[2] He was created a Peer by the title of LORD JEDBURGH by patent dated at Newmarket, 2 February 1621-22, to him and his heirs-male and successors in the family of Ferniehirst, bearing the name and arms of Ker.[3]

On 1 July 1618 there was a decreet of improbation at the instance of the Earl of Angus against Sir Andrew Ker of Ferniehirst, elder and younger, and Sir John Ker of Jedburgh, Knight, of all their writs of lands within Jedburgh Forest.[4]

In 1621 Sir Andrew Ker had a ratification by Act of Parliament in favour of himself of the rehabilitation granted to his father, Sir Thomas Ker, of the estate of Ferniehirst. It ordained that he should enjoy all the lands, etc., which he and his father were possessed of since his restitution in 1585, and 'past memorie of man before the said banishment and forfeiture.'[5] Lord Jedburgh had, however, impoverished the estates, part of them having been acquired by Lord Lothian. Lord Jedburgh died in 1631. He married (contract 20 October 1584) 'Anna Stewart, brother daughter of Chancellor Arran.'[6] She was the eldest daughter of Andrew Stewart, Master of Ochiltree. They had issue:—

1. *Sir Andrew Ker*, at first styled of Oxnam, and afterwards Master of Jedburgh. He was in Paris in 1609, as he writes to his father that he intends no journey until he recovers his health, but he hopes that his father may be passing forward to Paris, and that they may meet.[7] He was in London with his uncle Robert Ker (afterwards Earl of Somerset) about 1610, as the latter writes to 'his much respected brother,' the Laird of Ferniehirst, 'Your son has

[1] Ferniehirst Papers, 1602-1656, 46. [2] *Reg. Mag. Sig.* [3] *Ibid.* [4] Inventar of Ch.-ch. N. A. [5] Ferniehirst Papers, 63. [6] *Ibid.*, 1527-1621, 54 and 61. [7] *Ibid.*, 1602-1656, 12.

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returned by my permission, as I could do him no service at that time.'[1] On 11 November 1613 he had letters of gift under the Privy Seal to Sir Andrew Ker of Oxenhame, Knight, of the keepership of the Castle of Dumfries, and a pension of £400.[2] He was appointed Captain of the Guard to James VI. in 1618,[3] and was sworn a member of the Privy Council of Scotland, and constituted one of the Extraordinary Lords of Session 8 November 1628, and died 20 December following. He married, about December 1614, Margaret, widow of James, Lord Hay of Yester, daughter of Mark Ker, first Earl of Lothian. He had no issue.

2. *Margaret*, married to Sir John Macdowall of Garthland, and was living a widow 1648. Left issue.[4]
3. *Jean*, married to Thomas Kennedy of Pinwhirrie, in the county of Ayr, and was alive, a widow, in 1648.[5]
4. *Alison*, married to John Rutherford of Hunthill, both alive 1648.[6]
5. *Anne*, alive and unmarried 1648.[7]
6. *Mary*, alive and unmarried 1648.[8]
7. *Lilias*, married to —— M'Culloch, and was dead 1648.[9]

II. ROBERT KER of Crailing and Hundolie, son of Sir James Ker of Crailing, having become heir-male of Ferniehirst, repurchased the estate from the Earl of Lothian. There was a contract between the Earl of Lothian and Lord Ker of Newbottle on the one side, and Robert Ker of Ferniehirst on the other, dated at Newbattle 15 September 1669, in which it is stated that the former had sold the lands of Ferniehirst, etc., to the said Robert, although they would not have sold them to any one else but him, he being the nearest in blood to the male line of the house of Ferniehirst, being the only lawful son to the deceased Sir James Ker of Crailing, who was brother to the deceased Andrew, Lord Jedburgh, and so was the person that had right to the honour and dignity of Lord Jedburgh, by virtue of the patent granted by the deceased King James VI. on the 2nd day of February 1622. The contract goes on to say that Robert, Lord Jedburgh,

[1] *Ferniehirst Papers*, 20. [2] Charter-room, N. A. [3] *Gen.*, ii. 286 says November 1613. [4] *Gen.*, ii. 286. [5] *Ibid.* [6] *Ibid.* [7] *Ibid.* [8] *Ibid.* [9] *Ibid.*

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having no heirs-male, wished that the lands, honour, and dignity should descend to the nearest of the male line of the family of Ferniehirst, and that the said William, Earl of Lothian, was his nearest heir-male, being the eldest son to Robert Ker of Ancram, which Robert Ker of Ancram was second son to Sir Andrew Ker of Ferniehirst, and brother-german to Sir John Ker of Ferniehirst, which Sir John was grandfather to the said Andrew, Lord Jedburgh, and Sir James Ker of Crailing. Sir Robert Ker, Lord Jedburgh, therefore left the said lands in favour of his heirs-male, whom failing, to William, Master of Newbottle, eldest son to Robert, Lord Ker, and grandchild to the said William, Earl of Lothian, the title of Lord Jedburgh to fall to the house of Lothian, and the said William, Master of Newbottle, to be obliged to take on the dignity of Lord Jedburgh. If the Master of Newbottle should fall to be Earl of Lothian before the decease of the said Robert, Lord Jedburgh, 'in that case he shall assume that dignity of Lord Jedburgh with his other titles, and that his eldest son, and the eldest sons of the Earls of Lothian in time coming, shall be designed Lord Jedburgh, and shall carry the arms of Jedburgh upon the arms of Lothian; and in case the said Robert Ker, Lord Jedburgh, shall think it more secure that the said honour may be made practicable in the person of the said Master of Newbottle and legally settled, and for that end shall find it meet to renew and alter the present patent, and take it in favour of himself, leaving the former antiquity to his heirs' as aforesaid, that the Earl of Lothian and Lord Ker shall give their hearty concurrence, and it was lastly declared, that the above provisions should not derogate nor infringe the tailzie of the earldom of Lothian.[1] A confirmation of the Peerage was obtained from Charles II. in the terms of this contract, by patent dated 11 July 1670, with the original precedency of 2 February 1622. The Lords of Session, in their return to the House of Peers 1740, observed that the latest charter of the honours of Lord Jedburgh that had hitherto been found was in the records of the Great Seal 1670, which, on failure of Robert Ker of Ferniehirst and the heirs-male of his body, limited the honours to William, Master of Newbottle, and

[1] Copy of contract in Charter-room, N. A.

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the heirs-male of his body, which failing, to the said Master's nearest lawful heirs-male whatsoever. That this William, Master of Newbottle, succeeded to the honours of Jedburgh, and, on that title, voted in Parliament 1702, where his father, the Marquess of Lothian, also sat and voted as the Marquess of Lothian, and upon his father's decease succeeded to the honours of Lothian; and therefore, if a judgment were to be formed on what there appears, it would be natural to conclude that the honours of Jedburgh and Lothian are conjoined in the same person; but as it appeared that Lord Jedburgh in his father's (the Marquess of Lothian) lifetime voted, in 1712, at the election of a Peer, under the character of Lord Jedburgh, it was not impossible that the family of Lothian might be possessed of some settlement of this Peerage of Jedburgh different from what hitherto has been found in the records. His lordship was one of the heirs named in the entail of Cavers in 1669, and on 13 August 1675 he executed a separate entail of the Cross of Jedburgh.[1] On 2 August 1678 Lord Jedburgh executed a procuratory of resignation of the lands and barony of Over Crailing in favour of himself and the heirs-male of his body, whom failing, any other person or persons whom he should nominate by writing during his lifetime, and in 1685 he nominated Robert, Lord Newbottle, and the other heirs of Robert, Earl of Lothian, whom failing, John Ker of Cavers. The same year, 8 April, he executed a bond and procuratory of entail of Hundolie, Ashtrees, etc., in favour of himself and the heirs-male of his body, the heirs-male of the family of Cavers, and the heirs-male of the body of Robert of Lothian, etc.[2] Lord Jedburgh died on 4 August 1692, without issue by his wife, Christian, daughter of Sir Alexander Hamilton of Innerwick, relict of Sir Patrick Hume of Polwarth (who died 1648) and mother of the first Earl of Marchmont, whereby the title of Lord Jedburgh in the barony of Ferniehirst devolved on William, Lord Newbottle, who sat and voted as such in Parliament, his father at the same time sitting as Earl of Lothian, 18 April 1693.[3] The representation of the family in the male line came to Robert, Earl of Ancram,

[1] *Gen.*, ii. 288. [2] *Ibid.* [3] *Ibid.*

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descended from Robert Ker of Woodhead and Ancram, third son of Andrew Ker of Ferniehirst, who got from his father a charter of the third part of the lands of Dirleton 20 July 1538, and another of the lands of Woodhead, in Over Ancram, in feu-farm from the Abbot of Jedburgh, 7 July 1542. (*See title* Lothian.)

ARMS (recorded in the Lyon Register).—Gules, on a chevron argent three mullets of the first.

CREST.—A stag's head proper, tyned or.

SUPPORTERS.—Two angels.

MOTTO.—*Ford Ward.*

[A. H. K.]

NOTE 1.—Stodart, *Herald and Gen.*, vii. 129, 130, and elsewhere, attempts to prove that the Ferniehirst coat was azure to start with, and was changed from that to gules as a mark of cadency, and also that a stag's head in base was added about 1530, *i.e.* in the time of Sir Andrew Ker of Ferniehirst, who succeeded his father about 1485, his mother having been the heiress of Ferniehirst. It is probable that the stag's head in base was added for the reason given below, but it seems doubtful whether the Ferniehirst coat was ever azure. Stodart says further that the alteration from azure to gules was followed by the dropping of the stag's head in base, as it was thought objectionable, as looking like a mark of difference.

The reason suggested by Stodart for the addition of the stag's head in base is some connection with the Colville family, whose property of Oxnam was bought by Sir Andrew Ker of Ferniehirst in 1509. There is no proof that Sir Andrew Ker of Ferniehirst married the Colville heiress, as stated by Stodart, but according to Sir George Mackenzie his grandmother had been Catherine Colville.

The stag's head in base appears on a seal of Sir Andrew Ker's attached to documents at Newbattle Abbey as early as 1533, and on a seal of Sir Thomas of Ferniehirst (grandson of Sir Andrew Ker) in 1563. Sir Thomas Ker died in 1586, when the Oxnam property appears to have gone to his eldest son by his second marriage, Thomas Ker of Oxnam and Over Crailing. The eldest son of the first marriage, Sir Andrew Ker of Ferniehirst, afterwards Lord Jedburgh, presumably dropped the stag's head because the property had gone elsewhere.

The authority quoted by Stodart for the azure shield is Forman's (Lyon Office) MS. (1565-66): 'Azure, a chevron argent charged with three mullets gules.' The name below the shield is partly defaced, but sufficient remains to show that it is . . . of that ilk, and therefore not Ferniehirst. Further on, in the same MS., the coat of Ker of Ferniehirst *is* given as 'Gules, on a chevron three mullets of the field.' A naked savage is added in ink as a supporter. No tincture is given for the field. Motto, 'Forward in ye name of God.'

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At Ferniehirst Castle the Arms of Sir Andrew Ker are carved in stone over the doorway (the present stone is modern, but it is an exact copy of the old stone, which is still preserved).

The Arms are: Three mullets on a chevron; supporters, a male savage dexter, a female savage sinister. No tinctures indicated.

Crest, a stag or buck's head. Under the shield, 'S.A.K. Soli Deo. 1598.'

Lindsay (1603-1605) for Ker of Ferniehirst gives 'the 3 mullets on the chevron are azure. Stag's head erased or, in base.' The tincture of the field is not stated. This looks like a mistake. The stag's head, as shown above, had already been dropped, and it is unlikely that the mullets would be azure.

The cadet branches of the Ferniehirst family which sprang from Ralph Ker of Prymsideloch (the son of Thomas Ker of Smailholm and Ferniehirst and of Margaret Ker, heiress of Ferniehirst), viz. Ker of Greenhead, of Chatto and of Cavers, all have the *Mullets and Field gules*, and they separated from the parent stock on the death of Thomas Kerr of Smailholm and Ferniehirst about 1484 or earlier.

The Crawford Armorial MS. (*temp.* James VI.) says, 'Field gules, stag's head argent.' Here again the stag's head *may* have been used by the younger branches of the Ferniehirst family, but the chief, who at this time was Robert, Lord Jedburgh, did not use it. As a matter of fact, he registered his arms at the Lyon Office in 1672, as given in the text.

The French family of Ker of Lusançy mentioned had the sun as a crest. This seems to point to some connection at a later date with the Earl of Lothian, and the azure field may also have reference to the Lothian coat of augmentation, 'Azure, a sun in splendour or.' It has evidently nothing to do with the Ferniehirst coat.

From the above it seems probable that the Ferniehirst coat was always gules.

NOTE 2.—At a later date there is an instance of one of the Kers of the Cessford branch bearing an azure shield. Robert Ker of Newbattle, afterwards second Earl of Lothian, when a student at Padua in September 1598, used the following coat:—

Azure, on a chevron argent between three mascles perforated of the field in chief, and in base a unicorn's head argent couped gules, three stars of six rays gules.

Crest, A heart gules, pierced by three arrows argent, feathered azure.

Supporters, Dexter, a warrior clothed in silver armour; Sinister, a unicorn proper.

Judging from his crest, the young man appears to have been suffering from an unfortunate love affair. (After he succeeded he bore the usual Lothian coat and crest.)

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Mar and Kellie

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ERSKINE, EARL OF KELLIE

ALEXANDER, second son of John, fourth Lord Erskine (*see title* Mar), was born about 1521, and had a charter from his brother John, Lord Erskine, Commendator of Inchmahome, of the lands of Arnprior and others, under the designation of Alexander Erskine of Cangnoir.[1] He afterwards, 5 October 1560, excambed these lands for half the lands of Cambusbarron, co. Stirling.[2] On the death of his brother, the Regent Mar, he was intrusted with the care of the young King James VI., and he and his half-brother Adam, Commendator of Cambuskenneth, granted a bond for the house of Mar that the King would be kept securely in Stirling Castle under the tuition of George Buchanan and Peter Young.[3] In March 1577-78, on the fall of Morton, the King nominally took the government into his own hands, and Erskine was appointed one of the fifteen members of the new council then formed. On 26 April following the young Earl of Mar, prompted by Morton, seized the castle of Stirling, ejected his uncle, and obtained possession of the King's person, and on 16 March 1578-79 Alexander Erskine and the Mar family got a formal discharge of their guardian-

[1] Confirmed 24 January 1555-56, *Reg. Mag. Sig.* [2] *Red Book of Menteith*, i. 530. [3] *P. C. Reg.*, ii. 181.

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ship of the King, though the Earl was still to exercise a certain amount of supervision over him,[1] and was appointed Governor of Edinburgh Castle. On 15 October 1580 he was appointed Deputy High Chamberlain on the appointment of the Earl of Lennox to that newly-created office,[2] but he was not included in the reconstructed council in 1581. On 9 June 1584 he had a Commission of Lieutenancy for the south-east shires.[3] Alexander Erskine of Gogar, under which designation he was generally known, and his children, had certain 'yeirlie pentionis of money and victuall' granted them by the King, and it was provided in January 1583-84 that these were not to be subject to any revocations made by the King.[4] Erskine died between 5 July 1588, when his son Thomas witnesses a charter as 'apparent of Gogar,' and 3 April 1592, when he appears as the Laird.[5]

He married, before 1563, Margaret, daughter of George, fourth Lord Home. He had a charter with her, on 20 March 1563-64, of the half lands of Culbeg and Culmoir, co. Stirling,[6] and on 17 October 1584 they had a charter of the house and enclosure of Restenneth, co. Forfar.[7] By her he had issue:—

1. *Alexander*, who is said to have died in April 1578 of grief for the indignity done to his father in the taking of Stirling Castle,[8] but young men in those days had not generally such sensitive feelings, and, as a matter of fact, he met his death by being severely crushed in the throng and fracas which took place at the capture of the castle.[9]
2. THOMAS.
3. *Sir George Erskine* of Innerteil. He is said to have been educated by Buchanan along with the King, which is quite probable. He appears as Sir George Erskine of Boquhan 6 April 1610,[10] and had a charter of Innerteil and other lands on 13 September 1611.[11] He was admitted a Senator of the College of Justice 15 March 1617. He died before 2 June 1646,[12] having married Isobel Brown, relict of Sir Patrick Murray

[1] *P. C. Reg.*, iii. 112. [2] *Ibid.*, 322. [3] *Ibid.*, 670. [4] Fraser's *The Lennox*, ii. 327. [5] *Reg. Mag. Sig.*, 24 August 1590; *P. C. Reg.*, iv. 739. [6] *Reg. Mag. Sig.* [7] Confirmed 24 November 1586, *ibid.* [8] Spottiswoode, 284. [9] *Cal. of Scottish Papers*, v. No. 336. [10] *Reg. Mag. Sig.*, 6 June 1610. [11] *Ibid.* [12] Brunton and Haig's *Senators*, 260.

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of Geanies. By her he had two daughters and co-heiresses, *Anne*, married, in October 1627, to John, third Lord Melville of Monimail,[1] and *Margaret*, married, first (contract 25 July 1629), to Sir John Mackenzie of Tarbat, and secondly (contract 1 June 1661), to Sir James Foulis of Colinton. She died at a great age after June 1693.[2]

4. *Sir James* of Tullibody. On 15 July 1597 he had a tack of the lands of Powis of Cambuskenneth;[3] on 15 June 1608, as Sir James Erskine of Craig, he had a grant of the lands of Rescobie and others, co. Fife;[4] as Gentleman of the King's Chamber he had a grant of Tullibody 19 August 1611, the charter narrating the fact that he had been educated with the King, and had done him service in the matter of the Gowrie conspiracy.[5] All these lands he ultimately lost, being 'a reckless spendthrift.' He was, like all the Erskines, a favourite of the King, and ultimately went over to Ireland, having in his pocket a blank patent of the dignity of an Earl, which he disposed of in exchange for the estates of Portclare and Ballykirgir, which were erected in 1640 into the Manor of Favour Royall,[6] to Thomas, Lord Ridgway, who thus became in 1623 Earl of Londonderry.[7] He was dead before 8 July 1643.[8] He married (proclamation authorised 17 May 1596[9]) Mary, daughter of Adam Erskine, Commendator of Cambuskenneth.
5. *Archibald*, who was a witness to the charter of 21 February 1592-93 mentioned below.
6. *Margaret*, married, first, to Sir Adam Crichton of Ruthven;[10] and secondly, to James Reid, tutor of Aikenhead.[11]
7. *Jean*, married, first, to George Auchinleck of Balmanno. She had a charter from him, as his future spouse, of the lands of Fingask, co. Aberdeen, in liferent, 21 February 1592-93.[12] He died 3 November 1596,[13]

[1] Fraser's *The Melvilles*, i. 190. [2] Fraser's *Earls of Cromartie*, i. lxiv. [3] *Laing Charters*, 1330, 1331. [4] Confirmed 1 July 1609, *Reg. Mag. Sig.* [5] *Reg. Mag. Sig.* [6] Stodart MS., Lyon Office. [7] Riddell's *Peerage Law*, 869, 870. [8] *Reg. Mag. Sig.* [9] Stirling Reg. [10] *Reg. of Deeds*, xiii. 29. [11] *Reg. Mag. Sig.*, lxiii. 269. [12] *Ibid.* [13] Edin. Tests.

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and she was married, secondly, as third wife, before 6 July 1598, when a certificate was granted by Mr. John Lindsay, minister of Lethnot, that he had celebrated the marriage, to John Leslie of Balquhan. She obtained a decreet of adherence before the Commissaries of Edinburgh the same year. The Presbytery of Brechin accused Leslie of adultery and unlawful marriage with her, but they both defended the action successfully. He had, however, varied matrimonial experiences, and it is said that on one occasion his three wives were in the kirk of Chapel of Garioch at the same time.[1]

8. *Mary*, said to have been married to Sir Dugald Campbell, first Baronet of Auchinbreck.
9. *Christian*, married (contract 12 December 1579) to Alexander Home of Manderston.[2]

In Wood's edition of Douglas's *Peerage* it is stated that Sir Alexander Erskine married, secondly, Magdalen, daughter of Alexander, fifth Lord Livingstone. This was not the case, the lady being the wife of Arthur Erskine, Sir Alexander's brother. In the charter above referred to, however, 21 February 1592-93, among the parties to the marriage-contract of Jean Erskine are mentioned her brother Thomas and his mother Elizabeth Lyoun. Thomas Erskine's mother was undoubtedly Margaret Home; but it is possible, though no further corroborative evidence has been found, that Sir Alexander may have married Elizabeth Lyoun after Margaret Home's death, and that she was accordingly Thomas Erskine's stepmother.

I. Thomas Erskine was born in 1566, the same year as the King, and was educated and brought up with him. He was from his lifelong intimacy with him a great favourite with James, who had indeed a warm heart to all the Erskine family. He was appointed a Gentleman of the Bedchamber in 1585. On 17 October 1594 he had a charter of the lands of Michellis and others in the parish of Fetteresso on the forfeiture of the Earl of Erroll; another on 1 June 1598 of Windingtoun and Wingtounhall; and one,

[1] *Hist. Records of Family of Leslie*, iii. 74, 75. [2] *Acts and Decreets*, lxxvi. 406.

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on 15 January 1598-99, of part of the lands of Easter Row in Menteith.[1] He played a conspicuous part in the Gowrie conspiracy, having killed with his own hand the Earl's brother Alexander Ruthven. The King never forgot the obligation; on 15 November 1600 he had, for his services 'in resistantia monstruose, impie, et horrende proditionis et conjurationis,' a charter of the third part of the forfeited Gowrie lands of Dirleton and others in the constabulary of Haddington, Hassindean, and Haliburton, co. Berwick, Ballegarno, Abernyte, and Forgandenny, co. Perth, and Seggie, co. Kinross.[2] He accompanied the Duke of Lennox in his embassy to France in 1601.[3] On 2 July of that year he was admitted a Privy Councillor.[4] On 8 July 1604, as 'Thomas Areskyne, Knight, Prefect of the Royal Guard,' he was created BARON ERSKINE OF DIRLETOWNE.[5] He was by this time in England, having accompanied the King there, and had been made Captain of the Yeomen of the Guard, an office which he held till 1632. He was appointed Groom of the Stole 1605, and was on 18 March 1606 created VISCOUNT OF FENTOUN, with remainder to his heirs-male whatsoever, being the first creation in Scotland of that dignity.[6] He had a charter of novodamus of Dirleton and other lands, which were erected into the barony of Fentonbarns 15 November 1610.[7] He was re-admitted to the Privy Council of Scotland 25 April 1611, and was also a member of the English Council.[8] He had a charter of the lands and barony of Kellie, co. Fife, 13 July 1613,[9] of the lands belonging to the Priory of Restennet erected into a free barony 10 March 1614, and of the lordship of Pittenweem 6 July 1615. On 24 April 1615 he was made a Knight of the Garter. On 6 August 1616 he had a grant of Elbotle, Kingston, and others in the constabulary of Haddington, and on 9 July 1618 his lands of Dirleton, etc., were erected into the lordship and barony of Fentoun.[10] By patent, dated at Newmarket 12 March 1619, he was created EARL OF KELLIE, VISCOUNT OF FENTOUN and LORD ERSKINE, with remainder to his heirs-male bearing the name and arms of Erskine.[11] He died at London

[1] *Reg. Mag. Sig.* [2] *Ibid.* [3] Spottiswoode, 467. [4] *P. C. Reg.*, vi. 265.
[5] Creations 1483-1646, *Forty-seventh Rep. Deputy Keeper of Public Records.*
[6] *Reg. Mag. Sig.* [7] *Ibid.* [8] *P. C. Reg.*, ix. 101, 699. [9] *Reg. Mag. Sig.*
[10] *Ibid.* [11] *Ibid.*

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12 June 1639, in the seventy-third year of his age, and was buried, 23rd, at Pittenweem. He married, first, Anne, daughter of Sir Gilbert Ogilvy of Powrie; secondly, in 1604, Elizabeth, widow of Sir Edward Norreys, and daughter of Sir Henry Pierrepont of Holme Pierrepont, Notts; she died 27 April 1621,[1] and was buried at Inglefield, Berks, with her first husband, and he married, thirdly, as her fourth husband, Dorothy, daughter of Humphrey Smith of Cheapside, silk mercer, and widow successively of Benedict Barnham, alderman of London, Sir John Packington of Westwood, K.B., and of Robert Needham, first Viscount Kilmorey. The last marriage of the Earl was not a very happy one, and it is said the King personally intervened as a mediator between the couple.[2] She died in or before 1639.

By his first wife only he had issue:—

1. ALEXANDER.
2. *Anna*, married, before 1611,[3] to Sir Robert Mowbray of Barnbougle.

ALEXANDER ERSKINE, styled Viscount of Fentoun, had a charter from his father in implement of his marriage-contract to himself and his affianced wife of the lands of Oversydeserf 6 April 1610.[4] On 9 October 1630 he had a charter from his father of the lands and barony of Kellie.[5] He died 11 February 1633,[6] having married, in 1610, Anne, eldest daughter of Alexander Seton, Earl of Dunfermline, the Chancellor. By her he had issue:—

1. THOMAS, second Earl of Kellie.
2. ALEXANDER, third Earl of Kellie.
3. *Sir Charles Erskine* of Cambo, of whom afterwards.
4. *George*, died at Pittenweem 3 January 1657.[7]
5. *Margaret*, married, as his second wife, before 14 December 1663, to Gavin, third Earl of Carnwath.
6. *Anna*, married, as his second wife, to William, twelfth Lord Forbes, and was dead before December 1682.
7. *Sophia*, married, 27 June 1663, as his third wife, to Alexander, Master of Saltoun.[8]

[1] *Complete Peerage*. [2] *Dict. Nat. Biog.* [3] *Reg. Mag. Sig.*, 23 August 1614, n. 2. [4] Confirmed 6 June 1610, *ibid.* [5] Confirmed 30 July 1631, *ibid.* [6] Edin. Tests. [7] Lamont's *Diary*, 95. [8] Frasers of Philorth, i. 187.

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8. *Elizabeth*, baptized at North Berwick 29 August 1613.[1]

II. THOMAS, second Earl of Kellie, was baptized at North Berwick 4 May 1615;[2] served heir to his father 19 March 1634. He was a supporter of the King as against the Covenant, but little is known of his career, which was not a long one, as he died, unmarried, 3 February 1642-43.

III. ALEXANDER, third Earl of Kellie, was a strong supporter of the Royalist party. He was a colonel of Foot for the counties of Fife and Kinross in 1648,[3] and a party to the 'Engagement' of that year. He accompanied the Commissioners sent by the Scottish Parliament to Charles II. in Holland, and returned 11 June 1649.[4] Royalist though he was, he seems to have satisfied the Kirk if he did not actually sign the Covenant after his return.[5] Accompanying the King to England in 1651, he was taken prisoner at the battle of Worcester, and committed to the Tower.[6] He was liberated apparently after but a short detention, but was compelled to go abroad. He was excepted from Cromwell's Act of Grace and Pardon in 1654; but was allowed to return home for six months in August 1657.[7] He lost no time, at the Restoration, in going to London to kiss the King's hand. He died in May 1677. He married, first, in the summer of 1661, Anna, daughter of John Kirkpatrick, a colonel in the Dutch service, and afterwards Governor of Bois-le-duc.[8] He married, secondly (contract 8 July 1665), Mary, daughter of Sir John Dalzell of Glenae.

By his first wife he had issue one daughter:—

1. *Anne*, married to her cousin, Sir Alexander Erskine of Cambo, Lord Lyon King of Arms.

By his second wife he had:—

2. *John*, baptized 30 November 1671,[9] died young.
3. ALEXANDER, fourth Earl of Kellie.
4. *Elizabeth*, baptized 15 September 1673;[10] married to Alexander Fraser of Inverallochy; died there 11 December 1744.

[1] North Berwick Reg. [2] *Ibid.* [3] *Acta Parl. Scot.*, vi. pt. ii. 55, 625. [4] Lamont's *Diary*, 5. [5] *Ibid.*, 12. [6] *Ibid.*, 35. [7] *Ibid.*, 99. [8] *Gen. Reg. Inhib.*, 21 June 1680; *Scots Brigade in Holland*, i. 323 *n.* [9] Carnbea Reg. [10] Canongate Reg.

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IV. ALEXANDER, fourth Earl of Kellie, a posthumous child, baptized 14 September 1677,[1] was served heir to his father 26 October 1699. He died 8 March 1710. He married, 11 June 1699 (contract 27 June 1699[2]), at Kilconquhar, Anne Lindsay, eldest daughter of Colin, Earl of Balcarres. She survived her husband, married, secondly (postnuptial contract, 16 April 1714), James Seton, Viscount Kingston, and died 3 February 1743 at Edinburgh.[3] By her the Earl had issue:—

1. ALEXANDER, fifth Earl of Kellie.
2. *Jane*, married, apparently against the wishes of her husband's family, and when he was very young, John Scott of Harden. The Dowager Countess Marischal, writing 26 January 1720 to the Countess of Traquair, says: 'last night I was hindered by indvoiring (*sic*) a reconsillatione betwixt Hardone and his mother for his mariage with Lady Jean Arskin; everybody must own it a losse to a boy who wants nothing so litle as a wife, and shall by it losse his education.[4] She died 1734, leaving two daughters.

V. ALEXANDER, fifth Earl of Kellie, took part in the rebellion of 1745, surrendered himself 11 July 1746, and was committed a prisoner to Edinburgh Castle.[5] He had been a colonel in the Jacobite army from the commencement of the rising, and was at the battles of Preston, Falkirk, and Culloden, and in the end of September 1745 was at the head of a party who collected the excise in Fife.[6] The Justice-Clerk, writing to the Duke of Newcastle 10 July 1746, says: 'I am informed . . . that he is to put himself in the hands of one of the macers of the Court of Justiciary to-morrow, being the eleventh, at Kinghorn, to be conducted to me. If he comes before me I shall commit him to the Castle of Edinburgh, and immediately give notice to your Grace as the law directs. I have no knowledge of him but by reputation, being a person who notwithstanding his quality lived obscure and little regarded by any body, his fortune small, and his understanding of an inferior size, not many removes from the very lowest.'[7] On

[1] Canongate Reg. [2] *Fife Sasines*, xix. 204. [3] Cf. vol. i. 522. [4] *Book of Caerlaverock*, ii. 307. [5] *Lyon in Mourning*, i. 29. [6] *List of Persons concerned in the Rebellion*, Scot. Hist. Soc., 65. [7] *Murray of Broughton's Memorials*, Scot. Hist. Soc., 419; see also *Lyon in Mourning*, iii. 144.

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his surrender he was accordingly imprisoned in Edinburgh Castle,[1] where he was detained for three years, being liberated 11 October 1749. He died at Kellie 3 April 1756. He married, first, in 1726,[2] Louisa, daughter of William Moray of Abercairny: she died at Kellie 11 November 1729.[3] He married, secondly, in October 1731, Janet, daughter of Dr. Archibald Pitcairn, the celebrated Jacobite physician and poet. She died at Drumsheugh, Edinburgh, 7 June 1775, leaving issue by the Earl:—

1. THOMAS, sixth Earl of Kellie.
2. ARCHIBALD, seventh Earl of Kellie.
3. *Andrew*, who was a lieutenant in the 71st Regiment of Foot in 1759; in 1763 he exchanged into the 24th Foot. It is stated that, having spent all his property, he filled his pockets with stones and threw himself from a rock into the sea. This happened in 1793. He was the author of several letters and poems to James Boswell, and it is the latter who relates the circumstances of his death.[4]
4. *Elizabeth*, married, first, at Edinburgh, 23 April 1760,[5] to Walter Macfarlan of that Ilk, the eminent antiquary, who died 5 June 1767; and secondly, 1 October 1768, Alexander, seventh Lord Colville of Culross. She died at Drumsheugh 2 November 1794, aged fifty-nine.
5. *Anne*, born 18 February 1735, died unmarried at Christianbank 18 March 1802.[6]
6. *Janet*, married, at Queensferry 18 August 1763, to Sir Robert Anstruther of Balcaskie, Baronet, and died at Balcaskie 14 October 1770, leaving issue.

VI. THOMAS ALEXANDER, sixth Earl of Kellie, was born 1 September 1732. He was principally eminent as a musician: he studied music on the Continent as a young man with much assiduity, and evidently attained a high degree of proficiency both as a performer and composer. Second only to his musical were his convivial powers. Genial, humorous, and companionable, he was ever ready to take his share in the kind of joviality which was so

[1] *Lyon in Mourning*, i. 29. [2] Proclaimed 29 May 1726, Canongate Reg. [3] Funeral entry in Lyon Office. [4] *Notes and Queries*, 1st Series, ii. 165. [5] Old St. Paul's Reg., *Scot. Antiq.*, v. 150. [6] *Scots Mag.*

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characteristic of his period. Foote said his countenance would ripen cucumbers! He sold all his estates except Kellie, and died at Brussels 9 October 1781.[1]

VII. ARCHIBALD, seventh Earl of Kellie, was born at Kellie 22 April 1736; was an officer in the Army, being major in the 11th Foot, and ultimately lieutenant-colonel 104th Foot. On succeeding to the title on the death of his brother he left the service, and in 1790 was chosen one of the Representative Peers for Scotland. He died at Kellie 8 May 1797, unmarried.[2] The succession then opened to the descendants of

SIR CHARLES ERSKINE of Cambo, third son of Alexander, Viscount of Fentoun. (*See ante*, p. 86.) He was a Royalist, and was with that portion of Middleton's forces who were taken prisoners at the Braes of Angus in November 1654.[3] On 4 June 1663 he received on his knees before Parliament a patent appointing him Lyon King of Arms;[4] on 25 September he was installed in his office, being crowned by the Earl of Rothes, his Majesty's Commissioner. He must have performed the duties of his office with care and assiduity, as it was during his tenure of it that the Act of 1672 was passed ordering all persons who claimed a right to arms to give them in to Lyon to be recorded in his books. This is the foundation of the present Lyon Register, the execution of which must have been superintended by Erskine, assisted by his son Alexander, who was conjoined with his father in the office of Lyon by a ratification in Parliament 11 September 1672.[5] Charles Erskine was created a Baronet 20 August 1666, with remainder to the heirs-male of his body. Three years afterwards he purchased the estate of Cambo, of which he had a charter 27 October 1669. He died in September 1677,[6] having married, in or before 1663, Penelope, daughter of Arthur Barclay of Colhill, Gentleman of the King's Chamber.[7]

By her he had issue:—

[1] *Scots Mag.* [2] There is an elaborate appreciation of him in the *Scots Mag.*, October 1802. [3] Lamont's *Diary*. [4] *Acta Parl. Scot.*, vii. 458. [5] *Ibid.*, viii. 123. [6] Fun. entry in Lyon Office. [7] *Complete Baronetage*.

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1. ALEXANDER.
2. *Charles*,[1] baptized 8 June 1664.
3. *Margaret*, married to Sir William Sharp of Scotscraig.[2]
4. *Metalane*, born 1663, and died April 1691.[3]
5. *Penelope*,[4] baptized 4 July 1665, married to Macdonald of Clanranald.
6. *Mary*,[5] baptized 21 May 1667, married (contract April 1687) to Alexander, *de jure* Lord Colville of Culross. (*See that title.*)

SIR ALEXANDER ERSKINE of Cambo was born 1663. He was, as above mentioned, conjoined in the office of Lyon with his father, and after the latter's death was crowned at Holyrood 27 July 1681 by the Duke of Albany and York, the King's Commissioner.[6] When Carstares, afterwards Secretary to King William III., and Principal of Edinburgh University, was confined in Edinburgh Castle, he made the acquaintance of the eldest son of Erskine, who is said to have been Lieutenant-Governor of the Castle. A great friendship sprang up between them, and it is related that when Carstares came into power he used his influence with King William to get the son conjoined with his father in the office of Lyon.[7] On 29 January 1702 he had another commission of the office of Lyon King of Arms, in which his son Alexander was conjoined with him. As the latter died *vitâ patris*, he never exercised his office. Sir Alexander was also appointed joint Keeper of the Signet 1711, and sat in Parliament for Fifeshire 1710 to 1713. Though the recipient of so many favours from Government, family influence proved too strong for him, and he joined his kinsman the Earl of Mar in the rising of 1715: he was in consequence committed to prison in Edinburgh Castle in September of that year. His custody, however, does not seem to have lasted long, nor were his wanderings from the path of loyalty apparently deemed very serious, for he continued to hold the office of Lyon till his death, which occurred in 1727.[8] Sir Alexander married his cousin Anne,

[1] Canongate Reg. [2] *Notes and Queries*, 5th Ser. ix. 92. [3] *Ibid.* [4] *Ibid.* [5] St. Andrews Tests. [6] Arnot's *Hist. of Edinburgh*, App. x. [7] *State Papers and Life of Carstares*, 22. [8] See evidence of his son David in Session Papers *Dundas* v. *Dundas*, January 1763.

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eldest daughter of Alexander, third Earl of Kellie. By her he had issue:—

1. *Charles*, baptized 17 November 1682, died in infancy.
2. *Alexander*, baptized 1 June 1686, conjoined in the office of Lyon with his father, but died *vitâ patris*.
3. *Sir Charles Erskine* of Cambo, third Baronet, baptized 1 October 1687; appointed Bute Pursuivant 1 March 1707, and resigned 1715; appointed Lyon Clerk 24 June 1715, and held that office till 1724. Succeeded his father 1727, and died unmarried 8 February 1753.
4. *Sir John Erskine* of Cambo, baptized 18 May 1690; appointed Kintyre Pursuivant 4 March 1707, and Albany Herald 7 October 1726. Succeeded his brother as fourth Baronet in 1753, and died unmarried 20 July 1754.
5. *Sir William Erskine* of Cambo, born 1695, baptized 13 April; appointed Unicorn Pursuivant 4 March 1707; resigned 4 June 1715; succeeded his brother John as fifth Baronet 1754, and died unmarried 15 October 1781.[1]
6. Sir David, who carried on the line of the family.
7. *Thomas*, baptized 17 January 1699, died at Kinross 2 February 1783; married Jean Rue, with issue.
8. *Colin*, went to Rome to study painting, married there, and had a son *Charles*, who entered the church, and ultimately became a Cardinal, dying in Paris March 1811.[2]
9. *Penelope*, baptized 17 November 1682, died unmarried at Edinburgh 7 April 1768.
10. *Anna*, baptized 17 December 1692.
11. *Sophia*, baptized[3] 9 January 1698, married, in 1734, to her cousin Sir William Sharp of Scotscraig. She did not long survive her marriage, being buried at St. Andrews 6 June 1735.

David Erskine, fifth son of Sir Alexander, was appointed Rothesay Herald 13 November 1718, and at the same time Lyon Clerk Depute. He demitted his office of Herald 20 March 1724, and on 6 June thereafter was made Lyon

[1] *Scots Mag.* [2] Kellie Peerage Case Minutes, 50. [3] The baptisms of these children are from the Kingsbarns Register.

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Clerk in succession to his brother Charles, an office which he apparently conjoined with that of Lyon Depute. He died 7 October 1769. He married, first, —— Grant, and secondly ——Young.[1]

By his first wife he had:—

1. *Anne*, married to William Dewar of Laverockland.
2. *Penelope*, married to James Stewart of Balado.

By his second wife he had:—

3. *Sir Charles*, who succeeded as sixth Baronet.
4. *George*, died unmarried.
5. *John*, died unmarried.
6. *David*, who, after an Indian career, died at Cambo, unmarried, 5 August 1793.
7. THOMAS, who succeeded as ninth Earl of Kellie.
8. METHVEN, tenth Earl of Kellie.

SIR CHARLES ERSKINE of Cambo, sixth Baronet, born 1730, died at Cambo 6 March 1790; he married, about 1758, Margaret, daughter of John Chiene, shipmaster, Crail. The marriage was clandestine and irregular, and Erskine was fined £1500 Scots.[2] By her he had:—

1. *Sir William Erskine* of Cambo, who succeeded him as seventh Baronet, born 1759, died unmarried, at Niagara, America, 2 October 1791.
2. *David*, born 1761, died young.
3. CHARLES.
4. *John*, born 1768.
5. *Agnes*, born 1760.
6. *Margaret*, born 1766.
7. *Penelope*, born 1769.

VIII. SIR CHARLES ERSKINE of Cambo, born 1765, succeeded his brother William as eighth Baronet, and to the Kellie Peerage on the death of his distant cousin, the seventh Earl, in 1797. He died unmarried, at Folkestone, 28 October 1799, aged thirty-five, and was buried there 9 November.

IX. THOMAS, ninth Earl of Kellie, who succeeded, was

[1] The family records having been destroyed by fire, the information as to the Cambo line is scanty. [2] Beveridge's *Crail*, 187.

the fifth son of David Erskine above mentioned. He was born about 1745, and was appointed in 1775 British Consul at Gothenburg, Sweden. He succeeded to the title in 1799, and was a Representative Peer from 1807 to the date of his death. Lord-Lieutenant of Fife 1804; Knight Commander of the Order of Gustavus Vasa of Sweden, having royal licence, 6 July 1808, to wear the decoration. He died at Cambo, 6 February 1828, aged eighty-two. He married, at Gothenburg, in 1771, Anne, daughter of Adam Gordon of Ardoch; but by her, who died 20 March 1829, he had no issue.

X. Methven, youngest son of David Erskine above mentioned, succeeded his brother as tenth Earl of Kellie. He was born about 1750; after a successful mercantile career in Bengal, he returned home, and purchased the estate of Airdrie, in Fifeshire. He was much of an invalid, and lived in retirement during his latter years.[1] He died shortly after his brother, the ninth Earl, 3 December 1829. He married, 10 July 1781, at Edinburgh, Joanna, daughter of Adam Gordon of Ardoch, and sister of his brother's wife, but by her he had no issue.[2]

On the death of the tenth Earl the succession opened to the collateral heir-male, and it was claimed by petition by John Francis, Earl of Mar. The Committee for Privileges decided in his favour 2 September 1835. He was a very distant cousin, having to go back to the father of Sir Alexander Erskine of Gogar before he could find a common ancestor.

XI. John Francis Miller, ninth Earl of Mar, and eleventh Earl of Kellie. (*See under* Mar.) He died, without issue, 19 June 1866. He was succeeded by his first cousin,

[1] Kellie Peerage Case Minutes, 69. [2] There is a romantic story told in Chambers's *Book of Days* (ii. 41) about the two Misses Gordon, who both became Countesses of Kellie. One of them, it is said, was a foundling cast up by the sea from a wreck, and taken charge of by Mr. Gordon, with whose daughter she was educated. Her relations were accidentally discovered, and she and Miss Gordon went to see an uncle at Gothenburg, where Thomas Erskine was, and he ultimately married one of the ladies. Mr. Bulloch, however (*Gordons of Invergordon*, 80) states that both the Countesses were undoubtedly daughters of Gordon.

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XII. Walter Coningsby, twelfth Earl of Kellie, colonel in the Army and C.B. Born 12 July 1810, who claimed the earldom of Mar as conferred by Queen Mary on the Regent Earl in 1565, but died before his claim was allowed by the House of Lords. This nobleman distinguished himself both in his military capacity and in his political career, as Commissioner of Jubbulpore and during the Mutiny in India. He received the thanks of both Houses of Parliament for his services, and was made C.B. His Lordship sat as a Representative Peer in the House of Lords. He died 17 January 1872. He married, 11 September 1834, Elise (who died 14 July 1895), daughter of Colonel Youngson of Bowscar, Cumberland, and had issue:—

1. Walter Henry, thirteenth Earl.
2. *Augustus William*, born 18 June 1841, an officer in the 17th Lancers. Married, 18 April 1871, Harriet Susannah, daughter of William Forbes of Medwyn, sister of the Countess of Mar and Kellie, and by her, who died 23 February 1884, had issue:—

   (1) *Henry Walter Coningsby*, born 11 May 1872.
   (2) *Walter Augustus*, lieutenant R.G.A., born 22 July 1880.
   (3) *William Forbes*, born 21, died 22, February 1884.
   (4) *Evelyn Mary Elise*, born 25 November 1874; married, 20 May 1896, Major Henry Lowther, Indian Army, and has issue.
   (5) *Agnes Helen*, born 16 April 1876.
   (6) *Dorothy Christian*, born 31 March 1878.

3. *Charles Herbert Stewart*, born 11 September 1853, major, Third Battalion the Princess Louise's Argyll and Sutherland Highlanders; died, unmarried, 6 April 1896.

XIII. Walter Henry, thirteenth Earl of Kellie, born 17 December 1839, was successful in his claim to the earldom of Mar of 1565, the decision of the House of Lords having been given in his favour in 1875. One of the Representative Peers of Scotland; died 16 September 1888. Married, 14 October 1863, Mary Anne, eldest daughter of William Forbes of Medwyn, and had issue:—

1. Walter John Francis, present peer.
2. *William Augustus Forbes*, M.V.O., first Secretary

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Diplomatic Service, and assistant clerk, Foreign Office, born 30 October 1871.

3. *Alexander Penrose Forbes* (Rev.), B.A. Oxford, born 13 August 1881.
4. *Elyne Mary*, born 13 October 1866, died, unmarried, 4 October 1891.
5. *Constance Elise*, born 6 January 1869.
6. *Mary*, died an infant, 1873.
7. *Louisa Frances*, born 12 June 1875, a sister of the community of St. Mary the Virgin, Wantage.
8. *Frances Elizabeth*, born 17 February 1877, married, 29 July 1899, to Rev. Frederick Tufnell, M.A., rector of Sudbury, Derbyshire, and has issue.
9. *Alice Maud Mary*, born 12 December 1878.

XIV. Walter John Francis, twelfth Earl of Mar, and fourteenth Earl of Kellie, Viscount Fentoun and Baron Erskine of Dirleton; premier Viscount of Scotland; Representative Peer for Scotland since 1892, Lord-Lieutenant of co. Clackmannan, hon. colonel Argyll and Sutherland Highlanders, V.B., late lieutenant Scots Guards. Born 29 August 1865; succeeded his father in 1888 as twelfth Earl of Mar and fourteenth Earl of Kellie, and asserts his right as heir-male to the baronies of Erskine and Alloa; married, 14 July 1892, Lady Violet Ashley, daughter of Anthony, eighth Earl of Shaftesbury, and has had issue:—

1. John Francis Ashley, Lord Erskine, born 26 April 1895.
2. *Frances Walter*, born 9 January 1899.
3. *Elyne Violet*, born and died 2 August 1893.

Creations.—Baron Erskine of Dirletoune, 8 July 1604; Viscount of Fentoun, 18 March 1606; Earl of Kellie, Viscount of Fentoun, and Lord Erskine, 12 March 1619.

Arms (recorded in Lyon Register).—Quarterly: 1st and 4th, gules, an imperial crown within a double tressure flory counterflory or, a coat of augmentation for the dignity of *Kellie*; 2nd and 3rd, argent, a pale sable, for *Erskine*.

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CREST.—A demi-lion rampant guardant gules, armed argent.

SUPPORTERS.—Two griffins gules, armed and unguled or.

MOTTO.—*Decori decus addit avito.*

[J. B. P.]

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GORDON, VISCOUNT OF KENMURE

THE derivation of the name of Gordon, and the notices of the earliest members of the family, forming the common ancestry of all, to be found on record in Scotland, have already been dealt with in the article Gordon, Earl and Marquess of Huntly and Duke of Gordon, which, with what is given under the titles of Aberdeen and Aboyne, disposes also of the memoirs of the ennobled among those who, migrating far from the original seat, came to be distinguished broadly as the Gordons of the north. It remains here to trace the fortunes of the others, who, staying in the south and west, attained likewise in the course of time to the dignity of the Peerage.

William de Gordon is named as the son of Sir Adam Gordon, knight, of Scotland, in an entry relating to a gift of twenty merks by King Edward II. to Sir Adam, 23-28 January 1309-10;[1] and he was the fiar under a charter granted by Thomas Randolph, Earl of Moray, in favour of Sir Adam and him, of the lands and tenement of Stitchill, in the county of Roxburgh, confirmed by King Robert the

[1] Exchequer Record of England, Q.R. Miscellanea (Wardrobe), No. 19/12. In *Cal. of Doc. relating to Scotland*, iii. 59, the year is erroneously given as 1312-13.

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Bruce at Perth 28 June 1315.[1] These lands had been originally acquired by Sir Adam Gordon under King Edward's grant of 4 March 1308-9.[2]

William Gordon also came into possession of the half of the lands of Glenkens, a name still given to the district comprising the parishes of Dalry, Kells, Balmaclellan, and Carsphairn, in the stewartry of Kirkcudbright, including Lochinvar and Kenmure; which lands were acquired by Sir Adam Gordon from John de Maxwell about 1297, and had been derived from John Comyn, Earl of Buchan and Constable of Scotland.[3] On 9 May 1354 a remission, signed at Cumnock, was granted to William and his followers in Galloway, by William, Lord Douglas, receiving them into the peace of the King, restoring them to their heritages, and discharging them of all transgressions committed since the battle of Durham, 17 October 1346. He obtained from Robert, Earl of Strathearn, afterwards King Robert II., a charter dated at Edinburgh, 8 April 1358, of the keeping of the new Forest of the Glenkens, in as ample a manner as the granter had got it from his uncle, King David II. William Gordon also obtained from the last-named King a grant of the lands of Balmonth in Fife.

There is no direct statement of an early date as to William Gordon's place in the family of his father, but from the fact that the land he got from him was of the latter's 'conquest' and not of his inheritance it has been inferred that William was the second son,—an inference which has not at all times commanded the ready assent of his descendants.[4] He is supposed to have died about 1370, leaving issue:—

1. Roger of Stitchill.

[1] Stitchill Inventory by Sir William Fraser, in Lyon Office. [2] *Cal. Doc. Scot.*, iii. 15. [3] Note Book of John Riddell, No. 47 (cat. 48), p. 167, Adv. Lib. [4] In the Earlston MS., written in 1790 by Sir John Gordon, Bart., a copy of which is in the Lyon Office, it is roundly stated that William was the eldest son, and that the chiefship of the Gordons 'solely and undisputably rests in the Family of Stitchill, represented in a well-documented succession by the Family of Kenmore.' On the other hand, William, sixth Viscount of Kenmure, in the letter written from the Tower, 23 February 1716, the day before his execution, refers to 'the family of the Gordons, which I am an unhappy branch of.' (Howell's *State Trials*, 1816, xv. 803). The present writer is indebted to Dr. J. Maitland Thomson for kind aid on this and other points throughout the article.

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2. *Thomas*, and 3. *Alexander*, who obtained from their father a charter of Baimonth.
4. *John*, who resigned the lands of Balmonth in favour of William, Earl of Douglas, who got a charter thereof 14 January 1369-70.

Roger de Gordon of Stitchill was associated with Sir William Borthwick as a Commissioner for King Robert III. in a treaty (in which he was named Roger of Gordown, Sqwiere)[1] with the English, concluded at Clochmabenstane, 6 November 1398. He was killed at the battle of Homildon, 14 September 1402, and left a son,

Sir Alexander Gordon of Stitchill, who was retoured heir to his father and infeft in Kenmure on a precept of sasine obtained from Archibald, fourth Earl of Douglas, Lord of Galloway, dated at Thrieve Castle 24 January 1403. He was one of the hostages for the latter, and had letters of safe-conduct to England in 1408. He obtained from the Earl a charter of Shirmers and other lands in the barony of Balmaclellan, dated 28 May 1408, and also, before 1410, a charter of the lands, possessions, and lordships of the new Forest of Glenkens.[2] Sir Alexander was in June 1412 constituted bailie of the barony of Earlston. He had issue:—

1. Roger of Stitchill.
2. *Adam*, of Holm, who had a son,

   Quintin, infeft in the lands of Holm in 1465, of whom Robert Gordon of Craig, 1794-1813, was said to be descended.

Roger de Gordon of Stitchill confirmed to St. Mary and the monks of Jedburgh, 1 June 1431, a grant of two oxgangs of land formerly made to them by William de Morevill.[3] He resigned the lands and barony of Stitchill in favour of his son William (who had a charter thereof 27 February 1439-40),[4] and died about 1442. His son,

William de Gordon, is said to have been the first of the Gordons who actually settled in Galloway, and he was designed of Stitchill and of Lochinvar in the parish of Dalry, his infeftment in the latter being dated 6 June

[1] *Cal. Doc. Scot.*, iv. 108. [2] *The Douglas Book*, iii. 405, 406. [3] Riddell's Note Book, No. 47 (cat. 48), p. 156. [4] *Reg. Mag. Sig.*

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1450.[1] Though Lochinvar continued to be the designation of the successive heads of the family from this period till it was ennobled nearly two centuries afterwards, and the loch, manor-place, and messuage of Lochinvar, with fortalices, etc., are set forth in certain of the title-deeds,[2] there is a lack of evidence of any of the Gordons having had a habitable house on that property.[3] It seems not improbable that Kenmure Castle, in the parish of Kells, described later as 'pleasantly situated on a mount, having a wood of great overgrowne oakes on the one side . . . and on the other side pleasant meadows lying on the river of Kenn, which here begins to run in a deep loch for the space of seaven or eight miles,'[4] was the earliest, as it has remained the latest, residence of the Gordons in the stewartry of Kirkcudbright. Continuing to acquire territory and jurisdictions, some of which proved fertile sources of contention, the family became one of the most important in the south-west of Scotland, and had for a time, as will be seen, in addition to Kenmure, the houses of Rusco in the parish of Anwoth, and Greenlaw in the parish of Crossmichael.

The last trace of William Gordon as in life is on 7 August 1450, when his eldest son and successor got the charter mentioned below, but he seems to have survived till 1455.[5] The name of his wife has not come down to us,[6] but he left issue:—

1. Sir John of Lochinvar.
2. *Alexander*, who obtained a charter of the lands of Auchinreoch, in the parish of Urr, 29 October 1490,

[1] Riddell's Note Book, 47 (48), 133. [2] *Reg. Mag. Sig.*, 22 February 1509-10, and afterwards at intervals to 19 September 1621. [3] M'Kerlie, *Lands in Galloway*, iii. 406, says 'there is every reason to believe that the island in question is a crannog,' and Trotter, *Galloway Gossip* (Stewartry), 284, that the so-called castle is 'a bit boorock o' drystane dykes.' [4] Andrew Symson's *Large Description of Galloway*, ed. Maitland, 21. [5] *Exch. Rolls*, vi. 186. [6] The song of 'Lochinvar' in the fifth canto of *Marmion* was modelled on the old ballad of 'Katharine Jaffray,' the story of which, though possibly originating in fact, cannot now be traced to any historical source. In five versions of the ballad the lover is Lochinvar, in three Lamington, and in two Lauderdale (Child, iv. 216). No known copy has the name Graeme or the place Netherby, and the family tree of the Gordons of Lochinvar will be scanned in vain for any match such as that to which Sir Walter Scott has given immortality, or any union with a Jaffray. Lochinvar also figures in two versions of another romantic or non-historical ballad, 'The Broom of Cowdenknows' (Child, iv. 191).

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and from whom descended the Gordons of Airds of Kells; of Earlston, in the parish of Dalry; and of Carleton (now Earlston), in the parish of Borgue.

3. *George*, who had a charter of part of the lands of Troquhain, Barvoranby and Craig, in the parish of of Balmaclellan, 1 March 1494-95. He is said to have married Janet, daughter of John Maclellan or Dougalson of Troquhain,[1] and is stated by Wood to have been the ancestor of George Gordon in Tobago, 1813.
4. *Roger*, who married Geylles,[2] daughter of Andrew Macnaught of Crogo, and was ancestor of the Gordons of Crogo.
5. *Margaret*, married to Thomas Maclellan of Bomby (contract dated 13 July 1476[3]), and left issue.

Sir John Gordon of Lochinvar obtained, during his father's lifetime, a charter of the lands of Kenmure from William, Earl of Douglas, 7 August 1450,[4] and in 1456 he was fined in respect of these lands (Canmoor) for absence from a justice ayre at Kirkcudbright.[5] In 1456-57 he had sasine of the lands and barony of Stitchill.[6] He was one of those who on 30 May 1490 obtained a safe-conduct and protection for two months as commissioners of King James IV., with 300 horsemen, to enter and remain in England, and return; and on 26 February 1490-91 he was included in a like protection for six months.[7] Between February 1496 and July 1498 he is mentioned as paying the tax of spears for the stewartry of Kirkcudbright.[8] On 4 March 1506-7 he obtained a charter of the lands of Torscrachane, and on 11 December 1507 one of Gordonstoun.[9] The date of Sir John's death has not been ascertained, but he was still alive on 11 May 1517.[10] He married, first, Annabella, daughter of Robert, Lord Boyd,[11] by whom he had:—

1. *Sir Alexander*, who was one of the Gentlemen of the Bedchamber to King James III. On 23 March 1487 he obtained a charter of the lands of Kenmure,

[1] M'Kerlie, iii. 70. [2] *Ibid.*, 94. [3] Riddell's Note Book, 47 (48), 133. [4] *Ibid.* [5] *Exch. Rolls*, vi. 200. [6] *Ibid.*, ix. 665, 666. [7] *Cal. Doc. Scot.*, iv. 318, 319. [8] *Lord Treasurer's Accounts*, i. 312. [9] *Reg. Mag. Sig.* [10] *Ibid.* [11] Burke's *Peerage*, ed. 1878, 604, says that Sir Edmund Hay of Talla and Linplum married Annabella, sister of Thomas Boyd, Earl of Arran. *Reg. Mag. Sig.*, 9 December 1449, supports the statement to the extent of showing that Sir Edmund's wife was named Annabella.

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Laggan and Balmaclellan, under reservation of his father's liferent and a terce to his mother.[1] This charter erects the lands into a barony, to be called the barony of Kenmure.

In 1503 he killed Sir John Dunbar of Mochrum, Steward of Kirkcudbright, and had to flee the country. On account of the feud naturally arising between the two families, the Gordons obtained from the Crown, 4 September 1508, an exemption from the jurisdiction of Dunbar's son, who had succeeded him in the office of Steward. Sir Alexander was killed at the battle of Flodden, 9 September 1513, probably fighting 'with Huntly and with Home,' both of whom were more fortunate.[2]

He was married twice or three times. First, he was betrothed in 1492 to Janet, daughter of John, second Lord Kennedy, and, though there appears to have been delay, the facts mentioned below seem to prove there must have been a marriage of some sort between them. This lady formed a connection with Archibald, fifth Earl of Angus, and about 1499 became the mistress of King James IV., to whom she bore a son, James, Earl of Moray. Her career has already been sketched in this work (i. 183; ii. 134, 459). Hawthornden says the King became enamoured of her on one of his pilgrimages to St. Ninians, Whithorn, and confined Angus in the Isle of Arran for taking her out of Galloway.[3] By her Sir Alexander had:—

Janet, who under the description of his daughter and heir, on 16 February 1515, received a gift of the non-entry of all his lands fallen in non-entry by his death and that of Elizabeth Stewart his last wife.[4] On 9 May 1517 she was infeft in the lands of Kenmure and others upon a precept following on her retour as heir,[5] and on the following day she, a maiden of twenty-one, granted a charter of the estates of Kenmure, Balmaclellan and Stitchell in favour of her uncle, Sir Robert Gordon of Glen, to which were appended, in addition to her signature, the seal of her half-brother the Earl of Moray and the common seal of cause of the burgh of Edinburgh,[6] Sir Robert at the same time giving her a charter of certain of

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[1] Riddell's Note Book, 47 (48), 134. [2] The Earlston MS., 33, not to be outdone, gives him the command of the right wing. [3] *History*, 1655, 153. [4] *Privy Seal Reg.*, i. 417. [5] Riddell's Note Book, 47 (48), 134, 165. [6] *Reg. Mag. Sig.*, 11 May 1517.

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the Kenmure lands for her lifetime.[1] Two days later she granted a renunciation and discharge to her uncle of her right to Kenmure and Stitchell.[2] She was married, first, before 18 January 1520, to Lachlan Mackintosh of Dunachtan, chief of the clan, who with her then executed a supplementary discharge and renunciation;[3] and, secondly, before 16 February 1534-35, to James Ogilvy of Cardell, son and heir of Alexander Ogilvy of Findlater,[4] and had issue by both marriages.[5] If, as is stated by Douglas, there had been a litigation over the succession to the estates, appearances point to a settlement by compromise; but there is nothing available to show whether the objection was to her right to take as an heir-female or was directed against her status as a child. There is some evidence that towards the end of 1524 uncle and niece were on friendly terms.[6]

Secondly, he married, by Papal dispensation on account of consanguinity, Janet, daughter of Sir William Douglas of Drumlanrig, and widow of William, Master of Somerville. Thirdly, he married, before 4 October 1512,[7] Elizabeth Stewart, who died, as has been seen, before 16 February 1515.

He had an illegitimate son, *Roger*, who was legitimated 25 August 1546.[8]

Sir John Gordon married, secondly, before 19 May 1489,[9] Elizabeth Lindsay, and by her he had issue:—

2. Sir Robert of Glen, and afterwards of Lochinvar.
3. *William*, who had charters of parts of the barony of Craichlaw, in the parish of Kirkcowan and county of Wigtown, 17 September 1500 and 28 January 1506-7; one of the lands of Larglegastell and Markleif, 10 January 1515-16; and another of the lands of Auchingilbert, 4 August 1515.[10] He married Janet Baillie, and was ancestor of the Gordons of Craighlaw; of Culvennan; in Crosherie and Mains of Penninghame, of Glasgow, of Whitehill and of Aikenhead;[11] of Grange; and of Balmeg.
4. *John*, who obtained from his father the Mains of Balmaclellan afterwards called Hardlands.

[1] Riddell's Note Book, 47 (48), 136. [2] *Ibid.*, 135, 165. [3] *Ibid.*, 137. [4] *Ibid.*, 146; Macfarlane's *Gen. Col.*, i. 213. [5] For her seals as a married lady, see Laing, ii. 72, 73; Macdonald, 135, 136. [6] *Reg. Mag. Sig.*, 13 December 1524. [7] *Ibid.* [8] *Ibid.* [9] *Ibid.* [10] Confirmed 14 January 1515-16, *Ibid.* [11] Lyon Register, ii. 104; a brief family history by Alexander Gordon, known as Picture Gordon, kindly communicated by his son, the late Mr. Robert G. Gordon of Kingston-on-Thames.

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5. *David*, who got a gift of the escheat of Cuthbert Ashennan in Dunjop, 24 March 1538-39.[1]
6. *Elizabeth*, married to Sir William Douglas of Drumlanrig, and had issue. He died 'in Northumberland in the field of war,' 10 September 1513 (the day after Flodden) intestate, and she was appointed his executrix.[2]
7. *Janet*, married, first (contract dated 20 May 1486[3]), to Alexander Stewart of Garlies; and secondly, in 1503, to Sir William Keith of Innerugie.
8. *Margaret*, married to Bertilmo Glendonwyn, son and heir of John Glendonwyn of that Ilk. They obtained the lands of Glencorse and others, in the lordship of Eskdale, 1492.[4]

Sir John had also an illegitimate son, Mr. *William*, to whom he gave the lands of Crathlet, 1506, and who was legitimated 23 March 1538.

Sir Robert Gordon, or Acarsane, as he was sometimes named after his marriage, of Glen, and latterly of Lochinvar, had with his wife a charter of Glenskyreburn, afterwards called Rusco, and other lands, on 26 March 1494. He received, 27 March 1508, a protection for his passing to the realm of France and other parts beyond the sea, for certain his needful errands that he had ado.[5] On 3 February 1512-13 he granted a bond of manrent to John, Lord Maxwell, binding himself and his heirs in homage and service first and before all mortals, his allegiance to the King and his successors and his service to the Earl of Bothwell for his lifetime excepted.[6] He had a charter from his father of the lands of Torscraichane in November 1515, and another of the lands of Stitchill 14 September 1516, and from his niece Janet Gordon the one already mentioned of the lands and baronies of Kenmure, Balmaclellan and Stitchill, 10 May 1517, which reserved the liferent right of Sir John his father. He received a gift of the clerkship of the sheriffdom of Wigtown and stewartry of Kirkcudbright for his lifetime, with power to officiate

[1] *Reg. Sec. Sig.*, xii. f. 86. [2] *Fifteenth Rep. Hist. MSS. Com.*, viii. 14. [3] Riddell's Note Book, 47 (48), 145. [4] *Acta Dom. Conc.*, 12 July 1492. [5] *Privy Seal Reg.*, i. 242. [6] *The Book of Carlaverock*, ii. 458.

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by deputies. Rusco Castle is supposed either to have been built or added to by him.[1] His death took place six months before 7 November 1525.[2]

He married Mariota (who died before 7 August 1538[3]), daughter and heiress of John Acarsane of Glen, by his marriage with Isabella Vaus, and had issue:—

1. James of Lochinvar.
2. *John*, who obtained a charter of the lands of Barnbarroch, in the parish of Colvend, 1518. It has been said he was ancestor of the Gordons of Haslefield, but probably he has been confounded with a later John, illegitimate son of the later Sir Robert.
3. *Alexander*, who had charters of part of Gategill and Makilwarnock, 12 March 1517-18 and 16 May 1519. He obtained a charter of Barnbarroch from his brother James, confirmed 8 July 1520. James Gordon of Gategill is designed his son and heir in Royal letter 7 August 1536.[4]
4. *George*.
5. *Roger*.
6. *David*, who married Isabel, daughter of John Muirhead of Billies, and got with her the lands of Castramine, by charter confirmed 21 December 1576.[5]
7. *William*.
8. *Katherine*, married to Patrick Agnew of Salchary, and had a charter of the lands of Creachmore, 25 January 1506-7.[6]
9. *Elizabeth* (otherwise *Isobelle*), married, first, to Uchtred Macdowall of Machermore, with whom she had a charter of the lands of Machermore, 7 July 1516; and secondly, to Alexander Livingstone of Little-Airds, now Livingstone, Balmaghie. She died in 1574.[7]

James Gordon of Lochinvar in September 1525 granted a bond of manrent to Robert, Lord Maxwell.[8] On 11 July 1526[9] he and Sir William Douglas of Drumlanrig and their

[1] Earlston MS., 34; M'Kerlie, iii. 46. [2] Stitchill Inventory. [3] *Reg. Sec. Sig.*, xii. 14. [4] Information from Ross Herald, who has made an extensive investigation of original sources as to the pedigrees of Gordons in Galloway. [5] *Reg. Mag. Sig.* [6] *Ibid.* [7] Edin. Tests., iii. [8] *The Book of Carlaverock*, ii. 461. [9] Crawfurd's *Peerage*, 238; *Treasurer's Accounts*, v. 278.

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friends and followers killed Thomas Maclellan of Bombie, in the High Street of Edinburgh. More than one remission followed, the earliest, granted within a few days[1] of the event, bearing the signature of King James v., and the dead man's son and heir afterwards granted letters of slains. Lochinvar and his brother William were among those 'choyce gentlemen'[2] accompanying the Earl of Angus who, on 25 July 1526, took part in the defeat near Melrose of Sir Walter Scott of Branxholm in his attempt to free King James from the power of the Douglases.[3] On 6 or 16 March 1528 he was appointed King's Chamberlain for the Lordship of Galloway for five years. In November 1529 he was summoned with the Laird of Garlies to meet the King at Ayr.[4] He was in the King's suite on his matrimonial expedition to France in 1536. On 1 April 1537 he was constituted Governor of the town and castle of Dumbarton, and Chamberlain of that lordship, then in the Crown by forfeiture; and on 28 July of the same year he was on the assize for the trial of John, Lord Glamis.[5] He held also the appointment of Captain of the castle of Douglas for five years from 1537. In April 1538 he was called upon to furnish men towards the retinue of the King's ambassador to France for the espousal of Marie of Guise.[6] He was reported incorrectly as drowned after the rout of Solway Moss, 24 November 1542;[7] his pledges were three cousins unnamed, two of them with Lord Scrope, and one with Lord Conyers. He was in Parliament in 1543 and 1546. On 26 June 1545 he signed the band with France against England,[8] and three days later he was one of the sureties for Robert, Master of Maxwell, for the keeping of the castles of Carlaverock, Lochmaben, and Thrieve in the interests of Queen Mary.[9] In 1546 there were before the Privy Council for adjustment certain questions between him and Gilbert, third Earl of Cassillis, one of which had reference to the Abbey of Glenluce and another to the Abbey of Crossraguel.[10] He built the aisle to the old church of Dalry, afterwards used as the family burial-

[1] On 26 July 1526 according to Riddell's Note Book, 47 (48), 163. [2] Godscroft, 253. [3] *Acta Parl. Scot.*, ii. 312. [4] *Lord Treasurer's Accounts*, v. 385. [5] *Acta Parl. Scot.*, ii. 361. [6] *Lord Treasurer's Accounts*, vi. 392. [7] The Hamilton Papers, i. 308. [8] *Lord Treasurer's Accounts*, vi. 595. [9] *P. C. Reg.*, i. 9. [10] *Ibid.*, 34, 42, 52.

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place:[1] over the window in the south end is a stone with the arms of Gordon and Crichton impaled, and the date apparently 1546.[2] In the words of Queen Mary's gift to his successor of the nonentry of Stitchill, James Gordon of Lochinvar 'deceissit vndir our baner in the feild of pynkecleuch,'[3] 10 September 1547.

He married, by Papal dispensation dated in 1520,[4] Margaret, only daughter of Robert Crichton of Kirkpatrick, with whom he acquired lands in the parish of Glencairn,[5] Dumfriesshire, and by whom he had issue:—

1. SIR JOHN of Lochinvar.
2. *William* of Penninghame, who with his mother had a charter of the lands of Culreoch and Grobdale, 19 October 1542. He married Helen, daughter of Alexander Stewart of Garlies, and, dying in January 1581,[6] left issue:—

(1) *John*, who having succeeded to Muirfad, on the death of his uncle Robert, generally bore that designation but was occasionally called of Penninghame. He and his three brothers were concerned with Sir Robert of Glen in the slaughter of George Stewart in 1600, and in other exploits. He married Jean Glendonwyn,[7] and died before 13 May 1603.[8] He had issue:—

i. *William* of Penninghame and Muirfad, sometimes designed of the one and sometimes of the other, up to about 1648, who acquired the lands of Cuil, Kirkmabreck. He married Ann, daughter of Thomas Kennedy of Ardmillan, to whom he granted a charter of the five-pound lands of Mains of Penninghame, 28 September 1622.[9] He had two sons:—

(i) *John* of Penninghame, who died *s.p.* in 1662.

(ii) ALEXANDER of Cuil, and afterwards of Penninghame, who succeeded as fifth VISCOUNT OF KENMURE.

ii. *John*, repeatedly mentioned as the brother of William. He was of Rusco, and married Margaret, daughter of George Gordon of Kirkdale,[10] and left issue female.

iii. *Alexander*, witness to sasine, 1 March 1628, on charter

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[1] Earlston MS., 35. [2] Harper's *Rambles in Galloway*, 1876, 169. In a paper on 'The Ancient Parish Church of St. John the Baptist, Dalry,' in *Transactions of the Dumfriesshire and Galloway Antiquarian Society*, 1895-96, p. 69, the late Mr. William Galloway, overlooking the fact of a lion rampant being the arms of Crichton, discusses other theories to account for its presence on this panel. [3] Stitchill Inventory, 3. [4] Riddell's Note Book, 47 (48), 145. [5] Earlston MS., 35. [6] Edin. Tests., 10 October 1584 and 16 February 1604. [7] *Acts and Decreets*, ccl. 182. [8] Edin. Tests., iii. [9] *Par. Reg. of Sas.*, *Wigtown*, i. 109. [10] Protocol Book of Robert Glendonwyn, Kirkcudbright, 54.

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by the Bishop of Galloway to John Gordon of Lochinvar, of the lands of Boreland of Penninghame.[1]

(2) *Alexander* of Auchlane and Hills, sometimes designed in Penninghame, depute of Sir Robert of Glen as admiral in the south-west, and implicated in charges against him in that connection in 1600. Left issue.

(3) *William*, sometime in Penninghame, who was infeft, 27 February 1626, in the lands of Airds of Crossmichael on a charter by William Douglas of Drumlanrig. He married Mary M'Ghie, to whom he gave the lands in liferent. Left issue.

(4) *Robert.*

(5) *Margaret*, married to Hugh Gordon of Grange.[2]

(6) *Janet.*

(7) *Katherine.*

Helen Stewart was married, secondly, to John Glendonwyn, younger of Drumrash;[3] and, thirdly, to Alexander M'Ghie of Balmaghie, who is mentioned as her husband in 1602.[4]

3. *Robert*, who had a grant of the lands of Muirfad in July 1544, but dying unmarried, 26 April 1548, his estate went to his nephew John. He was buried in Glenluce Abbey, where his grave-slab has recently been brought to light.[5]
4. *James*, who had a charter of Hardlands, 1540.
5. *Alexander*, who got a lease from the Crown of the lands of Slagnaw in Kelton, and married Janet Kennedy, widow of John Kennedy of Largs.
6. *Janet*, married (contract dated 20 August 1547[6]) to William Cunningham, Master, and afterwards Earl, of Glencairn. She died on 18 November 1596.[7] Her will was subscribed by John Broun, minister at Glencairn, and Lady Lochinvar is the first witness named.
7. *Janet (secunda)*, married to Patrick Agnew, Sheriff of Wigtown, who, with consent of his curators, granted a charter to her of Salchary, 17 August 1550.[8]
8. *Margaret*, married to Sir William Douglas of Hawick, eldest son of Sir James Douglas of Drumlanrig.

[1] Protocol Book of Robert Glendonwyn, Kirkcudbright, 11. [2] Information from Ross Herald. [3] Edin. Tests., 10 October 1584. [4] Information from Ross Herald. [5] *Arch. Collections, Ayrshire and Galloway*, x. 204. The slab is wrongly stated to be that of a Robert Gordon of Lochinvar. [6] Riddell's Note Book, 47 (48), 147. [7] Edin. Tests., xl. [8] Douglas treats these two ladies as one, and Wood omits Lady Glencairn.

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9. *Catherine*, married (contract dated 29 March 1560 or 1561[1]) to Thomas M'Culloch of Cardoness.
10. *Helen*, married to Sir Thomas Maclellan of Bombie, and died on 26 November 1581.[2]
11. *Elizabeth*, married, first, to John Grierson of Lag, from whom she had a charter of the lands of Brocloch, 30 December 1558; and, secondly (contract 18 June 1566[3]), to Ninian Adair, son and heir of William Adair of Kilhilt.

Sir John Gordon of Lochinvar completed his title to Kenmure, Rusco, and other lands in November 1548.[4] He held the office of Justiciar of Galloway or of the Stewartry from 1555 onwards. On 18 June 1563 he was intrusted by the Privy Council with the keeping of an English ship called the *Grype*, which had arrived at Whithorn and was suspected to be a pirate,[5] and on 8 July the Council ordered the vessel to be delivered to Sir John Maxwell of Terregles. Lochinvar and the fourth Earl of Cassillis appear for long to have been no better neighbours than their fathers before them,[6] but on 19 November 1571 they executed a bond of friendship.[7] On 13 and 14 August 1563 Sir John Gordon entertained, at Kenmure, Mary, Queen of Scots, who came to him from Clary, and went on to St. Mary's Isle.[8] On 12 April 1567 he was on the assize at the sham trial of Bothwell for the murder of Darnley.[9] His name stands at the head of the barons signing the Hamilton bond, 8 May 1568, in favour of the Queen.[10] The Regent Moray, in his expedition to the west after Langside, marched on 14 June[11] to 'ane valey callit barbarusle the holm of Dawhernyn,' and sent Lochinvar's father-in-law, the Laird of Wedderburn, to him, but he refused either to come in or give pledges; next day the Regent marched to Dalry, but still there was no appearance of submission; and on the 16 the march was continued to Loch Ken, 'fornentis Kenmure,' when sixty men appeared on a hillside but 'enterprised' nothing, and the Place of Kenmure was destroyed

[1] Riddell's Note Book, 47 (48), 147. [2] Edin. Tests., xxiii. [3] *Reg. of Deeds*, viii. f. 354. [4] Riddell's Note Book, 47 (48), 137. [5] *P. C. Reg.*, i. 237. [6] *Ibid.*, 302. [7] Riddell's Note Book, 47 (48), 162. [8] Roll of Expenses of the Queen's Equerries, in Register House. [9] *Cal. of Scottish Papers*, ii. 320. [10] *Ibid.*, 403. [11] *Ibid.*, 445.

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and cast down. Middlemore, Queen Elizabeth's agent, found the Regent at Kenmure, vainly offering Lochinvar, if he would accompany him only this journey, to save his house and forget the past.[1] Lochinvar wrote to Queen Mary that he remained at her devotion, and would not submit, though earnestly solicited,[2] while the Regent reported to Elizabeth that he had been compelled to let Lochinvar know he was in his bounds, which he thought no man could come to.[3] Sir John acted as a Commissioner for Queen Mary in the first treaty for her release, which began at York 30 September 1568.[4] On 1 June 1581 he was on the assize that tried the Earl of Morton.[5] On 29 September 1589 there was an order upon him from King James VI. to deliver up the castle of Thrieve.[6] His name stands first among the barons, knights, and gentlemen in the Act of Parliament reconstituting the Privy Council 5 June 1592. On 27 May 1596 he was appointed one of the Wardens of the West March.[7] He built a seat in the church of Dalry, near the aisle door, 1597.[8]

Sir John Gordon died on 23 August 1604,[9] intestate, and the inventory of his personal estate was given up by his widow on behalf of his three youngest sons named below, then minors, as his executors dative.

He married, first, Juliana, daughter of David Home of Wedderburn, and sister of David of Godscroft, the historian, by whom he had:—

1. *Margaret*, married in 1572 to Sir Hugh Campbell of Loudon, Sheriff of Ayr, afterwards Lord of Loudon. The Sheriff paid a visit to his father-in-law at Rusco in 1574, accompanied by his kinsman, Robert Campbell of Kinyeancleugh, the friend of Knox, and John Davidson, afterwards minister at Prestonpans. Kinyeancleugh was seized with a fever soon after their arrival, and died at Rusco in a few days; and Davidson included an account of the circumstances, beginning with a profession of his inability to tell the

[1] *Cal. of Scottish Papers*, 437. [2] *Ibid.* [3] *Ibid.*, 442. [4] *Ibid.*, iii. 452. [5] Pitcairn, I. ii. 114. [6] *Book of Carlaverock*, ii. 495. [7] *P. C. Reg.*, v. 292. [8] Earlston MS. [9] Edin. Tests., xlv. His seal, 28 November 1596, shows three boars' heads erased. Legend, S. D. IOANNIS GORDOVN DE LOC. (Macdonald, 137).

order of 'the princely house that we sawe there' with its retainers, in a commemorative poem, printed in black letter, now one of the rarities of the Scottish press.[1] Lady Loudon died on 22 May 1607.[2]

He married, secondly, in 1563, Elizabeth Maxwell, daughter of John, Lord Herries (she was married, secondly (contract 31 May 1606[3]), as his second wife, to Sir Alexander Fraser, eighth of Philorth),[4] and by her had issue:—

2. Sir Robert, knighted in his father's lifetime, and then known as of Glen, afterwards of Lochinvar.
3. *William*, constituted Commendator of Glenluce, 22 February 1581-82, infeft in the lands of Glenquicken and Garrocher in 1588, who died without issue.
4. *John* of Buittle, who died between 21 December 1611 and 1 July 1614,[5] without issue. His brother Sir Robert was his executor in the first place, afterwards his brother James.
5. *James* of Barncrosh and of Buittle. He married Margaret, daughter of Sir John Vans and widow of John Glendonwyn of Drumrash, who pursued him in 1621 for sundry adulteries.[6] He died in May 1633, leaving issue:—
   (1) John, third Viscount of Kenmure.
   (2) Robert, fourth Viscount of Kenmure.
   (3) *James*, described as brother-german of Robert, Lord Kenmure, in a charter by the latter dated 25 September 1646.[7] He appears to have been of Buittle,[8] and in the Act of Posture for Defence, 15 February 1649, he is called James, Master of Kenmure. He predeceased Lord Kenmure, without surviving issue.

   Margaret Vans was married, thirdly, to James Maxwell of Breconside; and there is a tradition that she had in all twenty-nine children.[9]
6. *Alexander* of Endrig, who died without issue before 4 June 1627.[10]
7. *Mary*, married, 21 June 1588,[11] to Alexander Kennedy of Bargany.

[1] *A Memorial of the Life and Death of two worthye Christians . . . in English Meter* . . . Edinburgh, 1595. The only known copy is in the Britwell Library. [2] Edin. Tests., xlv. [3] Information from Ross Herald. [4] *The Frasers of Philorth*, i. 161. [5] Information from Ross Herald. [6] M'Kerlie, iii. 238; v. 226. [7] *Gen. Reg. Sas.*, v. 454. [8] M'Kerlie, iii. 238. [9] *Book of Carlaverock*, i. xxxi. 587. [10] Protocol Book of Robert Glendonwyn, 5. [11] Earlston ms., 37.

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8. *Janet*, married (contract, at Rusco, 15 May 1596[1]) to John Macdowall of Garthland.
9. *Grizel*, married (contract dated 15 October 1600) to Sir Alexander Stewart, afterwards first Earl of Galloway.
10. *Elizabeth*, married, before 27 December 1604,[2] to James Douglas, Lord Torthorwald, who instituted a process of divorce against her, as mentioned in this work, ii. 394.

Sir John Gordon had an illegitimate son, *William* Gordon, said to have been infeft in Littlehass, 6 December 1569,[3] and in Kirkland of Balmaclellan in 1570;[4] legitimated 4 December 1574.

Sir Robert Gordon of Glen, subsequently of Lochinvar, brought large accessions of territory into the family, by grant of King James VI. (to whom he was one of the Gentlemen of the Bedchamber) and otherwise, including the lands and barony of Crossmichael with the house of Greenlaw, and lands in Tongland and elsewhere in the stewartry. He sold the Glencairn lands,[5] and there is also trace of his having disposed of land in Ireland.[6]

In 1600 both he and Gilbert Kennedy of Bargany claimed the office of Admiral on the south-west coast, with the right to hold courts at Lochryan, and on 26 February they were charged to give assurances for the keeping of the peace.[7] Sir Robert appears notwithstanding to have taken the law into his own hands, and on 4 March there was a charge against him of coming to the house of Chapel at the Lochhead of Lochryan, armed with hagbuts and pistols, and of 'leddering the barnekin' of the said place at night, surprising the same, removing of John Kennedy in Chapel, his wife and bairns furth thereof, and victualling and keeping of the said place as a house of war for ten or twelve days; also of convocating the lieges in arms, and coming to the said place and there holding a court, at the same time slaying with the 'schoit of ane hacquebut' somebody unnamed. Thereafter he and his accomplices compelled

[1] Information from Ross Herald. [2] Riddell's Note Book, 132, i. (134, i.). [3] Information from Ross Herald. [4] Trotter's *Derwentwater*, 167. [5] Monteith's *Glencairn*, 12. [6] *History of the House of Seytoun*, 62. [7] *P. C. Reg.*, vi. 84.

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John Kennedy to receive back the place by many threatenings 'as namely with the burning of his house and distroying of his evidentis.' Sir Robert admitted the convocation of 300 persons, and the King ordered him to enter in ward in the castle of Blackness, and remain there till lawfully freed.[1] At the same time there was a complaint against Sir Robert for oppressive proceedings at the instance of the skipper and owners of the vessel *William* of Anstruther, which had arrived at Lochryan from Portugal with a cargo of salt.[2] On 24 April he was charged with rescuing Alexander Agnew, brother of the Sheriff of Wigtown, in the streets of Edinburgh, after he had been arrested for debt, and Sir Robert failing to appear, his father Sir John was ordered to enter the debtor within the Tolbooth.[3] There was also an accusation against him and his friends and followers of having in September of the same year slain George Stewart, brother of Matthew Stewart of Dundaff, on the highway between Wigtown and the Clary.[4] In 1604 and 1605 Sir Robert's mother had to seek protection against his violence.[5]

On 3 September 1607[6] a charge was ordered to be given him to appear before the Privy Council upon the 24, to answer for the barbarous slaughter, in his own house, in August last, of James Gordon, his servant (described elsewhere as called the Page), of whom, says Balfour,[7] he was jealous, as being too familiar with his lady, which by all was esteemed a most wicked calumny, and only by him forged to stain her honour, with the view of getting rid of her and taking another. On 18 October[8] King James addressed a strong letter to the Council on what he called the detestable fact of the laird killing one of his name and blood, 'who nather did expect ony invasioun nor had ony armour aboute him,' and instructing them to call Lady Lochinvar before them, and to inquire into the whole circumstances and report to him. On 5 November[9] the Council decerned her ladyship to be free from the keeping of her husband, and the marriage was afterwards dissolved.[10] On 29 June 1608 Sir Robert was charged with the crime

[1] *P. C. Reg.*, vi. 87. [2] *Ibid.*, 88. [3] *Ibid.*, 104. [4] *Ibid.*, *passim.* [5] *Ibid.*, vii. 580, 582. [6] *Ibid.*, 435. [7] *Annales*, ii. 27. [8] *P. C. Reg.*, vii. 540. [9] *Ibid.*, viii. 5. [10] Cf. vol. iv. 266.

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before the Court of Justiciary, but by warrant of the Council 2 July, the diet was deserted,[1] and nothing more appears about the matter till 13 December 1613,[2] when it was included in a general remission granted to Sir Robert, along with seven other offences enumerated, among them burnings and slaughters, and adultery with Janet M'Adam.

About 1609 Sir Robert was named one of the King's Justiciaries in the Border shires.[3] At the tournament on the occasion of the marriage of the Princess Elizabeth, 14 February 1612-13, he was one of the three defendants who received prizes from her hands.[4] In 1615 the dispute between him and Bargany, as to the Admiralty of Lochryan and other waters within the bounds of Galloway, was renewed, and both parties were prohibited from exercising the office.[5] In 1617 he was made Provost of Lincluden.[6] In 1622 he was one of those summoned to attend a conference on the exportation of Scottish wool;[7] in 1623 he was called to attend a meeting anent the establishment of manufactures;[8] and he was afterwards appointed a member of the standing commission on that subject.[9] In the same year he was one of those consulted as to the relief of the poor.[10] The lectern-shaped sundial at Kenmure bears date 11 December 1623.

Sir Robert Gordon was one of the first to embark in the scheme for the establishment of colonies in America, having on 8 November 1621 obtained a charter of what was called the barony of Galloway in Nova Scotia, and in 1625 he published a tract on the subject, now of great rarity.[11] On 1 May 1626 he obtained a further grant of the barony and lordship of Charles Island, and he is generally ranked as a Baronet of Nova Scotia of that date. On 12 July 1627 he obtained full powers of action against the King of Spain and others, to ensure the success of his enterprise in planting the colony, he undertaking to account for the prizes taken by him.[12] He was appointed a member of the Council of War for Scotland 12 July 1626, and in the same month was sworn

[1] Pitcairn, ii. 558. [2] *Reg. Mag. Sig.* [3] *P. C. Reg.*, viii. 814. [4] *Medulla Historiæ Scoticæ*, 181. [5] *P. C. Reg.*, x. 394, 622. [6] *Ibid.*, new ser., i. cxlvii. [7] *Ibid.*, xiii. 70. [8] *Ibid.*, 236. [9] *Ibid.*, 300. [10] *Ibid.*, 257. [11] *Encovragements for such as shall have intention to bee Vndertakers in the new plantation . . . By mee Lochinvar . . .* Edinburgh, 1625. His arms appear on the title-page, and again further on. [12] *P. C. Reg.*, new ser., ii. 13.

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as one of the Commissioners for the Middle Shires.[1] At this period he seems to have been living at Greenlaw.[2] On 25 April 1627 the Privy Council had before them a case in which a blunder had been made by Sir Robert's men in capturing a ship of Middleburgh and bringing her to Kirkcudbright, and the magistrates were ordered to keep the ship and her goods safe, and also to detain Lochinvar's vessel by which the capture was effected until the transaction was investigated.[3]

Sir Robert died of the stone,[4] before 24 January 1628.[5] Dr. Robert Johnston who, it has been suggested, was his personal friend, passes an eulogium upon him not to be overlooked in judging of certain incidents of his life and the comments thereon. He says he flourished conspicuous for strength of body and greatness of mind, whence he obtained the singular favour of the magnanimous Prince Henry, and that by the exercise of arms he had come out supreme in the tilting lists; that the Prince being dead, he built ships destined to propagate the fame of the Scottish name beyond the Equinoctial line, but that by his own death so praiseworthy an undertaking had come to naught.[6]

He married (contract dated 1 January 1597),[7] Lady Elizabeth Ruthven, daughter of William, first Earl of Gowrie, by whom he had issue:—

1. John, first Viscount of Kenmure.
2. *Robert* of Gelston, who was joined with his father in the grant of the barony of Galloway in Nova Scotia in 1621. He died without issue.
3. *Elizabeth*, married to John, then Master of Herries, afterwards Lord Herries, and eventually third Earl of Nithsdale, the contract being dated 19 August 1626, and the tocher 20,000 merks.[8] When she and her husband visited Lord Kenmure on his deathbed, he expostulated on the subject of their 'rotten religion.'[9]
4. *Isabel*, married, as his second wife, to Alexander Fraser of Philorth, and left issue.

Margaret Gordon, wife of John M'Naught of Kilquhan-

[1] *P. C. Reg.*, new ser., i. 373. [2] His seal shows on a shield three boars' heads couped, two and one, surmounted by the initials R. G. [3] *P. C. Reg.*, new ser., i. *passim*. [4] Johnston's *Historia*, 714. [5] *P. C. Reg.*, ii. 207. [6] *Historia*, 714. [7] Riddell's Note Book, 47 (48), 145. [8] *Book of Caerlaverock*, i. 83. [9] *Heavenly Speeches*, 17.

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atie slain at Carlingwark in 1612, is not infrequently described, in notices of the well-known Marion M'Naught, as a sister of the first Lord Kenmure, but this appears to be a mistake.

Sir Robert Gordon had at least one illegitimate son, *John* Gordon,[1] who obtained a grant of Haslefield in 1619.[2] Sir Robert is said further to have had two illegitimate daughters, *Mary*, married to William Maclellan of Barscobe, and *Rosina*, married to John Gordon of Bar,[3] a statement supported by an early reference in print to 'one of' Lord Kenmure's natural sisters.[4] Rosina was married, secondly (contract 2 January 1652), to James Gordon, son of John Gordon of Beoch.[5]

Lady Lochinvar was married, secondly, as his second wife, to Hugh, Lord Loudoun.

I. Sir John Gordon of Lochinvar was born in or about 1599. On 21 December 1618[6] he obtained, upon the resignation of his father, a charter of Nether Barcaple, Endrig, and other lands, not far distant from Rusco, and in 1625 he is described as fiar of Lochinvar.[7] In 1620 and 1621 he was boarded in the house of John Welsh at St. Jean d'Angely in France, and he afterwards furnished John Livingstone with some particulars of Welsh's life at that time.[8] After his return from the Continent he had to take his share in the family feuds and quarrels, particularly with the houses of Herries and Garlies,[9] but he found time to interest himself in the spiritual affairs of the district in which his possessions were situated, and in the beginning of 1626 made overtures to Livingstone with a view to his becoming minister of Anwoth, which he was endeavouring to set up as a separate parish. This negotiation on behalf of the people of Anwoth fell through, but, as Livingstone expresses it, 'thereafter the Lord provided a great deal better for them, for they got that worthy servant of Jesus Christ, Mr. Samuel Rutherford, whose praise is in all the Reformed Churches.'[10]

[1] *P. C. Reg.*, xi. 460. [2] Riddell's Note Book, 47 (48), 149. [3] Earlston MS. 39. [4] *Heavenly Speeches*, 18. [5] Sheriff Court Processes, Kirkcudbright, 1659. [6] *Reg. Mag. Sig.*, 10 February 1619. [7] *P. C. Reg.*, new ser., i. 207. [8] Livingstone's *Memorable Characteristics*, in *Select Biographies*, i. 301. [9] *P. C. Reg.*, new ser., i. *passim*. [10] *Livingstone's Life*, 1727, p. 7.

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Before or about this time [1] Lochinvar married Jean Campbell, third daughter of Archibald, seventh Earl of Argyll, and sister of the Marquess. Sir John and his wife took up a prominent position in the councils of the Presbyterian party in the south-west, and a memorable connection was formed between Rutherford and their household. His first publication was dedicated to Lochinvar (who had, however, passed away before its appearance),[2] and a later one to his widow,[3] to whom also were addressed forty-nine of his published letters, a greater number than to any other correspondent.

On 24 January 1628 Sir John obtained a commission for the carrying on of his father's scheme of colonising Charles Island,[4] and he was served heir to his father on 20 March. He immediately sold the barony of Stitchill to Robert Pringle in Baitingbus, 'and,' adds Douglas, 'it is said gave the price of it in a purse to the Duke of Buckingham, in hopes that he would favour his title to the earldom of Gowrie, which he claimed in right of his mother, eldest daughter [a sister] of John the last Earl; but this is said to have happened the very night before the Duke was stabbed by Felton, and so had no effect.' That Sir John was eagerly desirous of advancement in rank seems to be unquestionable, and the dates are not inconsistent with the truth of the story. The price of Stitchill was 90,000 merks Scots, whereof it was agreed 58,000 should be applied in clearing off incumbrances,[5] but whether bribery with the balance was one of the 'fearfull sins' which troubled the seller on his deathbed[6] is not now likely to be certainly known.

He obtained, on 15 January 1629, from King Charles I. a charter authorising the erection of a part of the barony of Earlston, lying upon the Water of Ken, and understood to be St. John's Town or Clachan of Dalry, into a royal burgh, to be called the burgh of Galloway.[7] This was superseded by a second charter of 19 November 1630 erecting and incorporating part of the lands of Roddings in the barony

[1] Wood gives the date as 1628, but if what Livingstone says be correct it cannot have been after 1626. *Reg. Mag. Sig.*, 7 April 1643, dates the contract 1624. [2] *Exercitationes Apologeticæ pro Divina gratia*, etc., Amsterdam, 1636. [3] *The Tryal and Triumph of Faith*, London, 1645. [4] *P. C. Reg.*, new ser., ii. 207. [5] Stitchill Inventory. [6] *Heavenly Speeches*, 9. [7] *Reg. Mag. Sig.*

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of Kenmure into a royal burgh, which also seems to have been intended to bear the name of Galloway,[1] but came to be called Newton of Galloway, and finally New Galloway. In June 1630 Sir John had his residence in England,[2] and in February 1633 he was living at Greenlaw.[3] He brought Kenmure to the perfection of a complete fabric as it was never before,[4] and he is thought to have been the last head of the family to live at Rusco.

Sir John Gordon's ambition was so far satisfied by his creation as VISCOUNT OF KENMURE, LORD OF LOCHINVAR, by a patent dated at Theobald's, 8 May 1633,[5] to him and his heirs-male bearing the name and arms of Gordon, which he received kneeling at the hands of the Lord Chancellor at Holyrood House on 17 June thereafter.[6] King Charles had arrived in Edinburgh two days previously for his coronation, Lord Kenmure being one of the Masters of the Household during the visit; and in the Parliament which followed, the King personally intervened to secure the passing of legislative measures obnoxious to the Presbyterians. Lord Kenmure was present at the beginning of the sittings, but left ('deserted,' as it was put, 'under pretence that his Lady was sick'[7]), and retired to Kenmure, taking George Gillespie with him as his domestic chaplain. Much has been made of this desertion, and perhaps too little allowance for the difficulty of Kenmure's situation, which was one of divided allegiance. 'I did it,' he is reported as saying, 'for fear of incurring the indignation of my Prince, and the loss of farther honour, which I certainly expected.'[8] About the beginning of August in the following year he was again in Edinburgh, and returning home to Kenmure seriously unwell, he was visited by a clergyman unnamed, but understood to be Rutherford, who remained with him to the end, which came about the setting of the sun, 12 September 1634, when he was of the age of thirty-five. Fifteen years later, there was published an account (anonymous, but attributed to Rutherford) of what passed in the death-chamber.[9]

[1] *Reg. Mag. Sig.* [2] *P. C. Reg.*, new ser., iii. 558. [3] *Book of Carlaverock*, ii. 127. [4] *Heavenly Speeches*, 23. [5] *Reg. Mag. Sig.* [6] *P. C. Reg.*, v. 118. [7] Epistle Dedicatory to *Heavenly Speeches*. [8] *Heavenly Speeches*, 9. [9] *The Last and Heavenly Speeches and Glorious Departure of John, Viscount Kenmuir*, Edinburgh. . . . 1649. Since reprinted at least five times.

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Lord Kenmure married, as before stated, Jean Campbell of the Argyll family, who survived him, and was married, secondly, on 21 February 1640,[1] to Sir Harry Montgomerie of Giffen, second son of Alexander, sixth Earl of Eglinton, but became again a widow on 3 May 1644. She died in February 1675, and was interred in Greyfriars burying-ground, Edinburgh, on the 26th.[2] To her was dedicated *The Turtle Dove* by John Fullarton of Carleton, 1664; and Livingstone in 1672 speaks of her as one of his oldest acquaintances then alive in Scotland. Robert M'Ward was also one of her correspondents. She was credited with some little skill of 'physiognomy' on the ground of her having foretold that her brother the Marquess of Argyll would die in blood.[3] Lord Kenmure was predeceased by 'many,'[4] or at least by several, children, and survived by one son,

II. John, second Viscount of Kenmure, who was served heir to his father on 17 March 1635. During the two following years he is frequently referred to in Rutherford's letters to his mother in such terms as 'the sweet child' or 'your dear child,' and as if in a delicate state of health. His tutors testamentar were his uncle, Archibald, Lord Lorne, afterwards Marquess of Argyll, and William, Earl of Morton, one of whose first acts, 2 March 1637, was to get things set in motion in the new family burgh, 'becaus as yet there has been nae burgesses lawfullie creat.'[5] He did not outlive his pupillarity, dying in August 1639, when the wide limitation of the patent thus early took effect by the succession of his father's cousin-german, John Gordon, eldest son of James Gordon of Barncrosh and of Buittle, brother of his grandfather, as

III. John, third Viscount of Kenmure. He came of age in October 1641, and died, unmarried, in October 1643, aged twenty-three, and was succeeded by his brother,

IV. Robert, fourth Viscount of Kenmure, who was born in November 1622, and on 1 May 1645 served heir-male and

[1] *Edinburgh Marriage Register*, 113, 486. [2] *Register of Interments.* [3] Baillie's *Letters*, iii. 467. [4] Rutherford's *Letters*, 1664, 532 and *passim.* [5] *P. C. Reg.*, new series, vi. 397.

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of entail of John, the first Viscount, and heir-male and of entail of John, the second Viscount, in the Kenmure estates, and heir-male of his own father.

On the invasion of Scotland by the forces of the English Parliament in 1650, Kenmure Castle was in a state of defence, and held out till 22 December,[1] when articles for its surrender were executed by Lord Kenmure as governor on the one part, and three captains from the English garrison at Dumfries on the other. His lordship undertook forthwith to deliver up 'his Castle of Kenmore, with all the armes and ammunition, for the use of His Excellency the Lord General Cromwell,' but all his household stuffs were secured for his own use, and those of the garrison had liberty to repair to their own homes.[2] Lord Kenmure was taken prisoner at the battle of Worcester, 3 September 1651.[3]

When the standard of King Charles II. was set up at Killin on 27 July 1653, in what is generally known as Glencairn's rising, Kenmure joined early by crossing the Clyde with a hundred horsemen, returning south to raise more forces,[4] and henceforth he was one of the most active leaders against the Commonwealth and Protectorate. He is repeatedly mentioned in Colonel Lilburne's correspondence with the Lord General and others from 6 August 1653 till towards the end of the year, during which period he was engaged in the Highlands, particularly in association with Lord Lorne, afterwards ninth Earl of Argyll, and the Laird of Macnaughton. On 18 October a report was sent south, 'His men run away from him daily, so that what he increaseth one day he loseth another. He marches with a Rundlet of Strong-waters before him which they call *Kenmore's Drum*.'[5] He was one of those excepted from the Ordinance of Pardon and Grace to the People of Scotland, 12 April 1654; and by General Monck's proclamation at Dalkeith, on 4 May, a reward of £200 was offered to any one killing him or bringing him prisoner. On the defeat of the Royalist army at Loch

[1] An apocryphal story of Kenmure's hiding in the glen of Lowran was first printed in Barbour's *Unique Traditions*, 1833. [2] Mackenzie's *History of Galloway*, ii. Appendix 19. [3] Nicoll's *Diary*, Bann. Club, 59. [4] *Mercurius Politicus*, No. 167, August 1653. [5] *Ibid.*, No. 176.

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Garry, 19 July 1654, Kenmure's charger was taken, and he with others was fain to make use of his heels over the bog.[1] On 29 August Monck reported to the Protector that Kenmure had sent him some overtures, 'but concerning him yet I shalbee glad to know your Highnes' pleasure allthough his estate bee not considerable.'[2] About this time there is a hint that Kenmure's going too often to his *Drum* led to a disagreement between General Middleton and him.[3] On 14 September Monck forwarded to Cromwell a copy of Articles which he had that day concluded for the 'comeing in' of Lord Kenmure and his party, adding, 'I have the rather adventured to give him these condicions (before I received your Highnesse' direccions) in regard his fortune is very broaken, and that hee was one of the most resolute heades of that party, and I doubt not but there takeing him of will tend very much to the cleareing of all the borders of England of these mossers and disturbers of the peace.' The Articles secured to Lord Kenmure and his friends their estates, both real and personal.[4] A letter written by King Charles to Kenmure, but which never reached Scotland, concluded by assuring him of his resolution 'to rewarde whatsoever you do or suffer for your very affectionate Frende.'[5]

In 1659 Kenmure was imprisoned in Edinburgh Castle, and failing to find bail to keep the peace, he, on Sunday, 18 December, escaped over the wall with his two servants, in the time of the sermon.[6] On 7 January 1661 he marshalled the procession accompanying the remains of the Marquess of Montrose to the Abbey of Holyroodhouse, where they lay in state previous to their removal to St. Giles.[7]

In 1660 Kenmure petitioned for a grant of Stockenham Rectory, co. Devon, and Clymsland Prior and Landulph Manors, co. Cornwall, forfeited by Sir Gregory Norton, mentioned below, who had settled them on his lady, who conveyed them to the petitioner (now her husband), 'but by the power of the late times they were taken from him.'[8] The application appears to have been unsuccessful, for

[1] *Mercurius Politicus*, July-August 1654. [2] Clarke Manuscripts, cited by Firth, Scot. Hist. Soc., xxxi. 165. [3] Clarendon Manuscripts, *ibid.*, 171. [4] Clarke Manuscripts, *ibid.*, 176. [5] Clarendon Manuscripts, *ibid.*, 208. [6] Nicoll's *Diary*, Bann. Club, 259. [7] *Mercurius Caledonius*. [8] *Cal. of State Papers*, Dom. Ser. (1660-61), 344.

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Kenmure is said to have left his wife and retired to Greenlaw. He died there on or immediately before 27 February 1663, when a minute inventory of the furnishings was taken in presence of his heir of line, his successor in the title and other friends. The funeral entertainment was at New Galloway on or about 2 March.[1]

Lord Kenmure married, on 20 October 1655, at St. Paul's, Covent Garden, Martha, widow of Sir Gregory Norton, Bart., of Charlton, co. Berks, who had been one of the most extreme of the anti-Royalist party, and had signed the death warrant of King Charles I.[2] According to Robert Baillie, Kenmure cast himself away on a foolish marriage, which would accomplish the ruin of his family.[3] Lady Kenmure's will was proved in November 1671.

Lord Kenmure had no issue, and with him the male descendants of his grandfather, Sir John Gordon of Lochinvar, failed, and the succession to the Peerage opened to Alexander Gordon of Cuil and Penninghame, the great-grandson and heir-male of William Gordon of Penninghame, Sir John's immediate younger brother, as

V. ALEXANDER, fifth Viscount of Kenmure. Along with the title he inherited Lochinvar, Kenmure and Greenlaw, but not Rusco, which at this point or earlier appears to have diverged or been alienated. He had not long been in possession, when, on 22 March 1664, a charge was brought against him in the Justiciary Court, at the instance of Robert, Master of Herries, as heir of line of the preceding Viscount, of stealing five trunks full of writs of the estate of Kenmure, which had been deposited by mutual consent until the rights of parties should be discussed. The case dragged on by repeated adjournments and interferences by the Privy Council till 1 June 1666, when it was dropped by the judges, apparently with gladness.[4] Towards the end of that year Kenmure took the field to help in the suppression of the Pentland rising, but was ordered to return to his own district, and hinder others from joining the rebels.[5]

In January 1682 Lord Kenmure was superseded in his

[1] *Minute Book of War Committee of Kirkcudbright*, App., 185. [2] *The Complete Baronetage*, i. 258. [3] Baillie's *Letters*, Bann. Club, iii. 367. [4] *Justiciary Records*, Scot. Hist. Soc., i. *passim*. [5] *Cal. of State Papers*, Dom. (1666-67), 319.

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office of heritable Bailie of the Regality of Tongland by the appointment of John Graham of Claverhouse.[1] Writing to Queensberry from Newton of Galloway on 16 February, Claverhouse reports that he had waited on Lady Kenmure the preceding night, his lordship being from home, and informed her of the pains Queensberry had been at to keep her house from being a garrison, of which she seemed very sensible. He is sorry to have to add that he had been certainly informed that Lord Kenmure had conversed frequently with rebels, and recommends that there should be a fixed garrison in Kenmure, 'a mighty strong place, and proper above all ever I saw for this use,' adding that her ladyship told him if the King would bestow two or three hundred pounds to repair the house she would be very well pleased his soldiers came to live in it.[2] On 1 March he was back at Newton, and reported Kenmure as 'not yet unworthy of your protection.' Finally, on 21 October, Claverhouse, writing from the same place, gave Kenmure notice that he must remove what he thought fit, to allow of the garrison being in by 1 November.[3]

At the battle of Killiecrankie, 27 July 1689, Kenmure held a command under General Mackay, who in his despatches admitted that his lordship's men and certain others 'made prety good fire.'[4] In the first reports of the defeat which reached Edinburgh he was named among the killed,[5] but it soon transpired that he was at Stirling with the general.[6]

Lord Kenmure died before 7 September 1698,[7] intestate, and to all appearance not in very prosperous circumstances; and on 20 September his son and successor, William, was decerned executor-dative *qua* creditor. After the latter's death in 1716 his sister Grizel acted in the same capacity. Lord Kenmure's portrait by Lely, at Kenmure, shows him a handsome man. He married, first, Agnes, second daughter of John Gordon of Auchlane,[8] by whom he had issue:—

1. ***Agnes***, married, first (contract at the Place of Greenlaw, 30 June 1674[9]), to William Maxwell of Kelton

[1] Napier's *Dundee*, ii. 252. [2] *Ibid.*, 259, 260. [3] Mackenzie's *History of Galloway*, ii. 244. [4] Mackay's *Memoirs*, 264. [5] *Ibid.*, 250. [6] *Ibid.*, 258. [7] Executry Papers, Kirkcudbright, i. 1. [8] Reg. of Deeds (Dalrymple), lxxvi., 14 February 1693; information from Mrs. Walker, Westminster, daughter of the late Mr. D. A. Gordon of Culvennan. [9] *Ibid.*, xlvii., 12 November 1678; *The Book of Carlaverock*, i. 396.

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and Buittle, son of John, third Earl of Nithsdale, who died in 1684 without issue; and, secondly, to John Lindsay of Wauchope.

Secondly, he married Marion M'Culloch, described by Wodrow as heiress of Whiteside, and by Douglas as daughter of M'Culloch of Ardwall, whose son by a previous marriage, John Bell of Whiteside, was shot by Lag on Kirkconnel Hill in 1685, for which act it is recorded his lordship drew upon Lag on meeting him shortly afterwards at Kirkcudbright, and but for the interposition of Claverhouse would have run him through.[1] By this lady Lord Kenmure had issue:—

2. WILLIAM, sixth Viscount of Kenmure.
3. *Jean*, married to William Gordon of Shirmers, and said to have died 4 February 1695.[2] He is said to have died 24 January 1717.
4. *Marion*, married, as his second wife, to Sir Alexander Gordon of Earlston, and left issue.
5. *Elizabeth*, married, first, to William Maxwell, younger of Newlaw,[3] and, secondly, to Samuel Brown of Mollance.

He married, thirdly (contract 19 April 1672[4]), Grizel Stewart, only daughter of James, Earl of Galloway, who had a liferent of the manor-place of Greenlaw and lands adjoining, and by whom he had issue:—

6. Mr. *John*, of Greenlaw, who married Nicolas, daughter of Robert Stewart of Ravenstone or Castle Stewart, second son of James, Earl of Galloway. He died intestate in January 1729, and Nicolas Stewart, as his relict executrix-dative, and Grissell Gordon, his only daughter, executrix-dative *qua* nearest of kin, both decerned to him after edict dated 9 May 1729, were confirmed as such executors on 1 December in the same year.[5]
7. *James*, of the Welsh Fusiliers, in 1711 serving in

[1] Wodrow's *History*, ii. 501. [2] M'Kerlie, iii. 82. [3] *The Book of Carlaverock*, i. 592. [4] *Laing Charters*, 2712. [5] Executry Papers, Kirkcudbright, xi. 6. James Gordon, Coatbridge, Lanarkshire, who, on 4 September 1848, was served heir-general to his grandfather, John Gordon at Keirshill (called of Kenmure, etc.), claimed that the latter, whose wife was Christian M'Burnie, was identical with John Gordon of Greenlaw, who, it was alleged, had been married a second time. Such a claim is inconsistent with the statement in our text.

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Flanders,[1] and said to have died at Boreland of Balmaghie in 1752.[2] He married Grizel, eldest or only daughter of William Gordon of Grange, and had issue female.

8. *Mary*, married, as his second wife, to Sir Patrick Maxwell of Springkell, and had issue.
9. *Grizel*, married to Rev. Robert Gordon, minister of Crossmichael, and had issue.[3]
10. *Isabel*, married to John M'Ghie of Balmaghie, and had issue.

VI. William, sixth Viscount of Kenmure, was in his youth at the court of St. Germains, and left with many others because he could not live there as a Protestant.[4] He is said to have attended the general gathering at Braemar, preparatory to the Jacobite rising of 1715; failing to appear when summoned to find bail for his good behaviour, he was declared rebel; and he was nominated by the Earl of Mar to the chief command in the south of Scotland.[5] One who had come into personal contact with him says: 'He was a grave, full-aged gentleman of a very ancient family, and he himself of extraordinary knowledge and experience in publick and political business, tho' utterly a stranger to all military affairs; of a singular good temper, and too calm and mild to be qualified for such a post, being both plain in his dress and in his address.'[6] It seems only right to add that he was not unaware of his own deficiencies. 'I understand,' writes Mar to Forster, 'that Lord Kenmure would have me to send another to take the command on him which he has. I have not many here who are fit for it that I can easily spare, but if you continue in Scotland, since Lord Kenmure desires it, I shall send one.'[7]

[1] Agnew's *Hereditary Sheriffs*, ii. 221. [2] Information from Ross Herald. [3] Scott's *Fasti*, i. 709. [4] Macky's *Memoirs*, xliv. [5] The song, 'O, Kenmure's on and awa', Willie,' in six single stanzas, sent by Burns to Johnson's *Museum*, without further indication of its source, has been regarded as a piece of older date, retouched by the contributor. It has generally been taken as referring to the rising of 1715, but it may be permissible to suggest the possibility of its going back to that of 1653. The three additional stanzas given in Cromek's *Remains* are doubtless by Allan Cunningham. [6] Patten's *History of the Rebellion*, 1717, p. 51. [7] Mar Papers, cited by Burton, *History* (1853), ii. 149.

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Naturally the first object of the south of Scotland Jacobites was to take the town of Dumfries, and Kenmure and his brother-in-law, the Earl of Carnwath, having on Wednesday, 12 October, seized some arms near Lochmaben, marched to Moffat to meet the Earl of Winton and his party from Lothian.[1] Advancing towards Dumfries the following forenoon to the number of about 153 horsemen, they were disappointed to learn that the town was full of people well armed, who were in readiness to give them a warm reception. Kenmure is reported as saying that 'he doubted not but there were as brave gentlemen there as himself, and therefore he would not go to Dumfries that day.'[2] Retiring upon Lochmaben, he proclaimed the Chevalier as James VIII.; on Friday he marched to Ecclefechan, where he was joined by Sir Patrick Maxwell of Springkell with a few horsemen; on Saturday he reached Langholm; and his force being increased to about 180, he proceeded on 16 October to Hawick, where he again made proclamation.[3] On Monday he marched to Jedburgh and repeated the ceremony, and on 18 October he crossed the border and marched to Rothbury, there effecting a junction with the Northumberland gentlemen under Mr. Forster on the evening of the following day.[4] Proceeding by way of Wooler, the joint forces reached Kelso, where they met the Highlanders under Brigadier Mackintosh, on Saturday, 22 October. Lord Kenmure retaining the chief command while in Scotland, had now under him an army of 1400 foot and 600 horse.[5] On Monday the Chevalier was proclaimed, and Lord Mar's manifesto read, in the market-place. Hearing that General Carpenter had marched from Newcastle and reached Wooler with the intention of giving him battle, Kenmure called a council of war, at which great differences of opinion prevailed among the leaders, who could not agree to 'any one thing that tended to their advantage.'[6] As a matter of fact, the army, leaving Kelso, marched to Jedburgh, thence to Hawick, and reached Langholm on Sunday, 30 October. About the same time General Carpenter entered Jedburgh.[7] From Langholm Kenmure sent about 400 horse, commanded by Lord Carnwath, by way of Eccle-

[1] Peter Rae's *History*, 1718, 250. [2] *Ibid.*, 252. [3] *Ibid.*, 254. [4] *Ibid.*, 256. [5] *Ibid.*, 268. [6] Patten, 65. [7] Rae, 274.

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fechan, to block up Dumfries until the main body should come up to attack it.[1] On Monday this party met an express to warn them that the disposition and resources of the town boded them no better fortune than on the previous occasion,[2] and Kenmure getting this word when two miles on his way from Langholm, divided councils were renewed, and the English gentlemen stating that they had promises of strong support in Lancashire, their determination to march southward prevailed. Deserted by 400 or 500 Highlanders,[3] the forces reached Longtown on 31 October, and the next day marched to Brampton in Cumberland, where Mr. Forster opened his commission to act as General in England,[4] and Kenmure's command-in-chief came to an end.[5]

Surrendering at Preston, 14 November 1715, on terms which were afterwards matter of dispute, Lord Kenmure, along with the other more distinguished among the prisoners, arrived in London on 9 December, and was sent to the Tower.

On 9 January 1716 the House of Commons resolved to impeach of high treason the seven noblemen taken at Preston; ten days afterwards, at the bar of the House of Lords, these all, with the exception of Lord Winton, pled guilty; and on 9 February a High Steward's Court met in Westminster Hall for the passing of sentence. Lord Kenmure, when asked what he had to say for himself, replied in terms which have been looked upon as servile, but which may have been but in obedience to domestic entreaties to save himself.[6] 'God knows,' he said, 'I never had any personal prejudice against his Majesty, nor was I ever accessary to any previous design against him. I humbly beg my noble Peers and the honourable House of Commons to intercede with the King for mercy to me, that I may live to show myself the dutifullest of his subjects, and be the means to keep my wife and four small children from starving.' Sentence of death by hanging, with the usual savage additions, was pronounced on the six lords; but the

[1] Rae, 275. [2] *Ibid.*, 277. [3] *Ibid.*, 278, 279; Patten, 72. [4] *Ibid.*, 73.
[5] M'Kerlie, iv. 64, says, 'He was to have been raised to the rank of marquis. A draft of the patent is in the Kenmure charter-chest,' a statement not observed elsewhere, and which needs confirmation.
[6] Burton, ii. 215.

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Earl of Derwentwater and Kenmure, the only two who actually suffered, were beheaded on Tower Hill on 24 February 1716. Lord Kenmure was accompanied by some friends,[1] two clergymen of the Church of England, a surgeon to direct the executioner, and an undertaker. He made no formal speech,[2] but prayed for the Chevalier, and testified his sorrow for having pleaded guilty, and laying his head on the block, 'died with great resolution and composure.'[3] The sentence carried with it attainder and forfeiture of honours.

Lord Kenmure married, in 1711, Mary, only daughter of Sir John Dalzell of Glenae, and sister of Robert, sixth Earl of Carnwath, by whom he had issue:—

1. Robert, Master of Kenmure, and afterwards but for the attainder seventh Viscount of Kenmure.
2. John, but for attainder eighth Viscount of Kenmure.
3. *James*, who died unmarried, after 27 May 1736, when he is named in the disposition of the family estate mentioned below.
4. *Henrietta*, who was married to her mother's cousin-german, John Dalzell of Barncrosh, sometime collector of customs at Kirkcudbright, and chamberlain of Kenmure, son of Captain James Dalzell, and had issue.

To Lady Kenmure there has been attributed, justly or unjustly, a large share of the responsibility for her husband's action in joining the rising. What is certain is, that after the event she applied herself zealously to the conservation and repair of the family fortunes. The Kenmure estate, the rental of which was returned at £608, 10s. 9d., having been forfeited to the Crown by the operation of the Act 1 Geo. I., c. 50, subject to the determination of any demands upon it, her ladyship entered a claim on behalf of her eldest son Robert Gordon, to the effect that the estate had, prior to the time of Lord Kenmure's death, been held

[1] One account says, absurdly enough, 'by his son,' then in infancy.
[2] But among the prints relating to the case is a broadside purporting to be his 'Last Speech,' in which he says that by pleading guilty he meant no more than an acknowledgment of his having been in arms, and that he submitted himself expecting to have got his life. [3] *Cal. of Stuart Papers*, *Hist. MSS. Com.*, ii. 10. Lord Kenmure's portrait, a bust, by Kneller, showing him in armour, with a long dark wig, is at Kenmure.

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in trust for the Master, and duly conveyed to him, subject to her interest under her marriage settlement; and this claim the commissioners sustained on 8 October 1722, adjudging that the estate belonged to Robert Gordon, subject to the debts and encumbrances affecting it.[1] These her ladyship made it her business to acquire. Lady Kenmure was married, secondly, after 27 May 1736, to John Lumisden, eldest son of Andrew Lumisden, Bishop of Edinburgh, and uncle of the private secretary to the Stuart Princes.[2] Mr. Lumisden had been governor or tutor to her sons, and doing the greatest justice to their education, 'was rewarded,' says the Earlston MS., with evident reference to the match, 'beyond his expectation.' He was created a knight and baronet by the Chevalier on 5 January 1740,[3] and taking part in the rising of 1745, he escaped to France, where he died, without issue, in 1751. Lady Kenmure died at Terregles on 16 August 1776.

ROBERT, but for the attainder seventh Viscount of Kenmure, came into full possession of the estate under a disposition executed by his mother on 27 May 1736, and is said to have commenced the building of the new house of Greenlaw,[4] situated within a mile of the old fortalice on the Dee. Secretary Murray, writing about 1757, refers to him as the late Lord Kenmure, a person extremely zealous in the Chevalier's cause, and goes on to say that when he visited him at Kenmure he found him uneasy on account of his brother John, whom he had reason to suspect might accept a Government commission, 'a thing he could not endure to think of.' He desired Murray to talk to his brother and put him in mind that, as his patrimony was then spent, if he took a step so disagreeable to him he might lay aside all thoughts of any assistance from him, but if he continued firm to the principles in which he had been brought up, and for which his father had suffered, he should want nothing in his power to give him.[5] On 27 April 1741 the

[1] Forfeited Estates Papers, in Reg. Ho. [2] *Analecta Scotica*, ii. 39. [3] *The Jacobite Peerage*, 83. [4] Earlston MS., 45. [5] *Memorials of John Murray*, Scot. Hist. Soc., 52, 53. The Earlston MS. gives a different account of the brothers, which is followed by M'Kerlie, iv. 65, 66. According to it, Kenmure Castle was almost in ruins when Robert succeeded, and John is said to have served in Holland.

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Chevalier desired that it might be made known to Kenmure 'that he does him the justice to be well persuaded of his good heart towards him,' and sent his kind compliments.[1] Kenmure died, 'much lamented,' on 9 or 10 August following,[2] aged twenty-eight, unmarried, and was succeeded by his brother,

JOHN, but for the attainder eighth Viscount of Kenmure. When Murray spoke to him, he expressed great concern that his brother should suspect him, and declared that no offer should tempt him to serve the family who had taken his father's life. Receiving a letter from Prince Charles Edward, dated at Holyrood House, 7 October 1745,[3] he came to the palace next day in company with Nithsdale and Kilmarnock, when they were presented to the Prince, and very graciously received, 'especially Lord Kenmure, to whom everybody observed he showed a particular civility, both in his manner and in what he said to him, and when he told him he had reserved the command of the second troop for him, seemed to apologise for his not having had the first, assuring him of the particular regard he had for his family.' Kenmure seemed well pleased, and was understood as promising his support, and the three supped that night with the Prince. On his reaching home more prudent counsels prevailed, and his wife wrote to Murray, making his apologies.[4] It is added as reported that Kenmure wrote to the Lord Justice Clerk excusing his rashness in going to Holyrood.[5] He had found himself obliged to sell the family's lands in Tongland, some of which went to Murray of Broughton in Wigtownshire, and others to Gordon of Campbelton; and in 1752 he parted with Greenlaw, with its new house not quite finished,[6] to his cousin-german, William Gordon of Drumrash, W.S., fourth son of his aunt Marion, at the price of £7350.[7] He was a keen curler, and there have been preserved a challenge to play, an answer and a rejoinder, in the form of poetical epistles between him and the locally celebrated Rev. Nathaniel

[1] Murray, 362. [2] *Gent.'s Mag.*, xi. 442; *Scots Mag.*, iii. 382. [3] Harper's *Rambles*, 176. [4] Murray, 227. [5] *Ibid.*, 229. [6] Earlston MS., 46. [7] Greenlaw Papers, in hands of Coulthart's trustees; 'The Gordons of Culvennan,' by J. M. Bulloch, in *Dumfries Courier*, 1 September 1906.

M'Kie of Crossmichael.[1] He died at Liverpool, on a coasting voyage for his health, 16 June 1769, aged fifty-six, and his funeral sermon preached in Kells church was eulogistic even beyond the common run of such productions.[2] Sir John Gordon records that 'he was eminently gifted with social humour, vivacity, and all the catalogue of companionable qualities,' but adds, 'he was seemingly a free thinker, and would go either to church or meeting as the fancy struck him.'[3]

He married, at Edinburgh, 11 March 1744, Lady Frances Mackenzie, only daughter of William, fifth Earl of Seaforth, a great beauty, educated in France (where in her widowhood she chiefly resided), and a Roman Catholic, who ultimately succeeded to an estate in England.[4] She died at Edinburgh 7 January 1796, the issue of the marriage being:—

1. WILLIAM, but for the attainder ninth Viscount of Kenmure.
2. JOHN, seventh, and but for the attainder tenth, Viscount of Kenmure.
3. *Adam*, captain in the 81st Regiment, afterwards collector of customs at Portpatrick, where he was in the Volunteers and commanded the coastguard. Like his immediate elder brother, he was on terms of intimacy with Burns, who addressed him, once at least, in verse. He married, first, in May 1789, a Welsh lady, Harriet (who died at Portpatrick 28 February 1801), daughter of Daniel Davies, and sister of Deborah Duff Davies, the 'Bonie wee thing' and 'lovely Davies' of the poet. By this marriage he had issue:—

   (1) *John*, lieutenant Royal Navy; born 23 January 1790; died 31 December 1813, unmarried.
   (2) ADAM, eighth, and but for the attainder eleventh, Viscount of Kenmure.
   (3) *Francis Mackenzie*, lieutenant 20th Madras Native Infantry, who died, unmarried, 12 July 1814.
   (4) *William Henry Pelham*, born 4 October 1795, who died without issue.
   (5) *Edward Maxwell*, lieutenant 22nd Regiment of Foot, born 12 March 1799; died, unmarried, in Jamaica, 14 December 1827.

[1] *Memorabilia Curliana Mabenensia*, 95. [2] *Scots Mag.*, xxxii. 249.
[3] Earlston MS., 47, 48. [4] *Ibid.*

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(6) *Louisa*, who was married, on 19 August 1815, to Charles Bellamy, E.I.C.S. (who died in 1823 or 1824), by whom she had a son,[1] who died early, and three daughters. She was declared to have the title and precedence of a Viscount's daughter 7 August 1843, and having been served heir to her brother Adam, Lord Kenmure, in the Kenmure estate, 2 November 1847, she became known as the Hon. Mrs. Bellamy-Gordon of Kenmure.[2] Dying 31 May 1886, in her ninetieth year, she was succeeded by her eldest daughter, Louisa, who was married, 7 September 1837, as his second wife, to Rev. James Maitland, D.D., of Fairgirth, minister of Kells (who died 21 September 1872), by whom she had four sons and four daughters. Mrs. Maitland Gordon of Kenmure died 12 November 1899, and was succeeded by her second but eldest surviving son, James Charles Maitland-Gordon, now of Kenmure.

Captain Adam Gordon married, secondly, at Stranraer, 25 October 1802,[3] Maria, eldest daughter of Major Hamilton Maxwell and Maria le Blanche, by whom he had no issue. He died at Portpatrick, 17 December 1806.

4. *Robert*, of the 78th Regiment of Foot; died, unmarried, in 1797.
5. *James*, of the 100th Regiment; died in India, unmarried, in 1781.
6. *Frances*, died at Bristol hot wells, 17 July 1770.

William, but for the attainder ninth Viscount of Kenmure. He was captain in the 1st, or Royal Scots Regiment of Foot, and died in Minorca, 7 February 1772, unmarried, and was succeeded by his brother,

VII. John, seventh, and but for the attainder tenth, Viscount of Kenmure, who was then in the 17th Regiment of Foot. For some time after 1780 he was member of Parliament for the Stewartry of Kirkcudbright. On 22 May 1781 he executed a trust-deed for behoof of his creditors,[4] containing power to the trustees to sell the whole or parts of his lands for payment of his debts, it being

[1] Trotter's *Derwentwater*, 1825, 178. [2] There is a pleasing notice of Mrs. Bellamy Gordon in old age in *Recollections and Impressions*, by E. M. Sellar, 241. [3] Information from Mrs. Skelton, Sudbury Croft, Harrow. [4] The author of the Earlston ms. rather dwells on what he regarded as the extravagance and vanity of the more recent heads of the house of Kenmure; and a lampoon called 'The Gordon's Gramacie' (whatever that may mean) has obtained some currency.

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declared that the barony of Kenmure should be the last of his property to be sold; and in 1787 the barony of Lochinvar was disposed of to the trustees of Richard Oswald of Auchincruive for £16,000, the family burial-place at Dalry being alone excepted. With the aid of his mother Kenmure was able to save the lands in the parishes of Kells and Balmaclellan, which still form the Kenmure estate. He was reputed a good shot with the pistol, and fought at least one duel.[1] On the evening of 27 July 1793 he received Robert Burns at Kenmure Castle, and entertained him for three days. Burns refers to him in his second Heron ballad as 'Kenmure sae gen'rous.' He was appointed Vice-Lieutenant of the Stewartry of Kirkcudbright in 1822. By the Act 5 Geo. IV., No. 251, 17 June 1824, which has remained hitherto unprinted, and as to the precise terms of which some uncertainty has prevailed,[2] it was, on the recital of the proceedings of 1716, and of the loyalty of the gentleman now under notice, enacted 'that the said John Gordon of Kenmure, and all other persons who would be entitled after the said John Gordon to succeed to the Honors, Dignities, and Titles of Viscount Kenmure in case the said judgment had not been pronounced, shall be and are hereby restored to the said Honors, Dignities and Titles of Viscount Kenmure, with all the Rights, Privileges and pre-eminences thereto belonging, as fully, amply and honorably as if the said judgment had never been pronounced.' The Duke of Gordon wrote congratulating him, as a cadet of his family, on the reversal of the attainder. In thanking His Grace he respectfully reminded him that the Dukes of Gordon were Setons, and said he thought he was himself the representative in the male line of the old stock of Gordon.[3] John Riddell, who visited the castle in January 1836, says, 'Lord Kenmure is a wonderful man, not many days of going into his 87th year, and shot right and left last summer, . . . a warm-hearted man, had lived much abroad, polite and of the old school.'[4]

Lord Kenmure married, in 1791,[5] an English lady, Sarah Ann Morgan, who died on 5 April 1815, and by whom he

[1] M'Kerlie, iii. 79; Trotter's *Galloway Gossip* (Stewartry), 444. [2] Burke's *Peerage*, 1883, ii. 23. [3] James Maidment in *Notes and Queries*, 2nd series, ii. 344. [4] Note Book, No. 138 (140). [5] Not 1781, as in *Complete Peerage*.

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had no issue. He died 21 September 1840, aged ninety, and was succeeded by his nephew,

VIII. ADAM, eighth, and but for the attainder eleventh, Viscount of Kenmure, who was born 9 January 1792. As a cadet or midshipman in the Royal Navy, he was at the battle of Trafalgar, and he saw other service, becoming a lieutenant in 1815. Prior to his succession he lived for a time in the Isle of Man. He married, at St. Thomas's Church, Portsmouth, on 2 November 1843, Mary Anne, eldest daughter of the then deceased James Wildey, an officer of the Oxford Militia, and died at Kenmure Castle, 1 September 1847, aged fifty-five, without issue, when the Peerage became dormant. He was buried at Dalry. Lady Kenmure died at 19 Landport Terrace, Southsea, on 4 April 1872, aged fifty-five.

CREATION.—Viscount of Kenmure, Lord of Lochinvar, 8 May 1633.

ARMS not recorded in the Lyon Register. Nisbet gives those borne by the first Viscount as Azure, a bend between three boars' heads couped or, which is in accord with the Peers' Arms MS. in the Lyon Office. As borne by the fifth or sixth Viscount he gives Azure, three boars' heads erased or, which are the arms stated by Douglas and by Wood.

CREST.—A demi-savage proper, wreathed about his temples and middle with laurel.

SUPPORTERS.—Two savages, wreathed about the head and middle with laurel, each holding in his outer hand a baton, proper.

MOTTO.—*Dread God.*

[W. M.]

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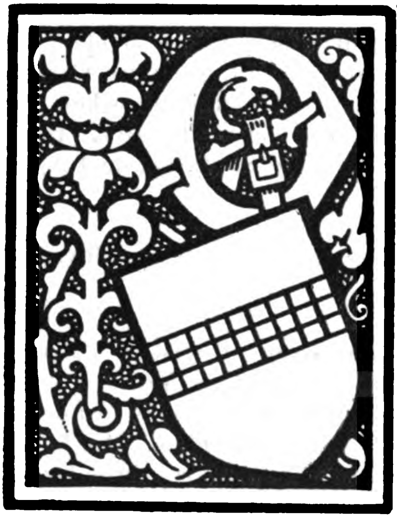
BOYD, EARL OF KILMARNOCK



OWING to a certain similarity in their arms, old writers have assumed that the Boyds were a branch of the Royal house of Stewart. Crawfurd,[1] writing in 1716, says, 'The common bearings of the Boyds and Stewarts have given ground to a conjecture that they are branched from the Royal family of Stewart.' Nisbet,[2] a few years later, says, 'The first of the sirname of Boyd was Robert, son of Simon, third son of Allan, second Lord High Steward of Scotland, who died 1153, which Robert is designed in the charters of Paisley nephew to Walter the son of Allan Dapifer, Great Steward of Scotland,' and Chalmers[3] adds that Simon, who was a witness to the foundation charter of the monastery of Paisley 1160, followed his brother into Scotland. So the story grew, and Wood accordingly begins his pedigree of the Boyds with the said Simon, and on the strength of this the descent has been accepted by subsequent writers. That Walter the Steward had a brother Simon, and that he witnessed the foundation charter of Paisley in 1160 as *Simon, frater Walteri filii Allani*, is not disputed, but this charter was executed, not at Paisley, but at Fotheringay

[1] *Peerage*, 242. [2] *Heraldry*, Edinburgh, 1722, i. 54. [3] *Caledonia, or an Account Historical and Topographical of North Britain*, etc., 1807-24.

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in Northamptonshire, and not only is there no evidence that he ever subsequently came to Scotland, but Mr. J. H. Round[1] appears to prove conclusively that this Simon was only uterine brother of Walter, and that he was the Simon 'de Caisneto' *alias* 'de Norfolc,' who held the Manor of Mileham. Were Nisbet's statement, that the first recorded Robert Boyd is designed nephew of Walter the Steward in the Cartulary of Paisley capable of proof, then it would establish the connection, though not necessarily a descent from Simon, but no such entry is to be found, and, without further evidence in support of it, this descent cannot be accepted. The first reliable information we have of the family is as vassals of the de Morvilles in the regality of Largs, and it may be that their progenitor accompanied the first de Morville to Scotland, and obtained a grant of lands from him.[2] However this may be, the fact that the Boyds were early proprietors in Renfrew, and possessed the barony of Nodsdale and several other lands of good value in the reign of Alexander III. (1249-86) is attested by a charter, seen by Mylne,[3] granted by 'Sir John Erskine, Knight, "Johanni filio suo, juniori, quem (uxore) sua, filia Gilronani, procreavit, totam terram suam ex australi parte aquæ de Goghow," which is bounded with the lands of Robert the Boyd.' The first person of the name of Boyd on actual record would seem to be

Sir Robert Boyd, said to have been so called from the Celtic *Boidh*, signifying fair or yellow.[4] He as *Dominus Robertus de Boyd miles*,[5] was witness to a contract between Bryce de Eglington and the village of Irvine in 1205.

Robert *dictus* Boyd is mentioned in a charter by Sir John Erskine of the lands of Halkhill in 1262.[6] He is said to have greatly distinguished himself at the Battle of Largs,

[1] See his paper on the origin of the Stewarts in the *Genealogist*, N.S., xviii. 18. [2] See *Topographical Account of the district of Cunningham, Ayrshire*, compiled about the year 1600 by Mr. Timothy Pont, Maitland Club, 1858. [3] Mss. Advocates' Library. [4] Douglas's *Peerage*, ii. 30. [5] Crawfurd's *Renfrew*, 163, where the author states that the original is in the Irvine Charter-chest, and that he saw an excerpt from it made by the Provost. [6] Sir John Dalrymple in the Preface to his Scots Collection, 80.

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2 October 1263, and to have been rewarded by Alexander III. with a grant of lands in Cunningham.[1]

ROBERT BOYD occurs in the *Ragman Roll* as taking the oath of the allegiance to Edward I. at Berwick-on-Tweed 28 August 1296.[2] He is said to have afterwards joined Sir William Wallace in his gallant attempt to assert the independence of his country.[3]

SIR ROBERT BOYD, the faithful companion of Robert the Bruce in the War of Independence.[4] A Robert Boyd attended the King's escheators from Dumbarton to Renfrew with Sir John Walleys and their men at arms, October 1304,[5] and Sir Robert de Boyt was taken prisoner by the English in the Castle of Kildrummie shortly before 13 September 1306,[6] a Duncan Boyd having been captured and hanged 4 August previously.[7] Robert Boyd joined in a letter to the King of France, 16 November 1308,[8] and he was one of the Scottish commanders at the battle of Bannockburn 24 June 1314. For his faithful adherence to his cause, he had a grant from King Robert to 'Roberto Boyd, militi, dilecto et fideli nostro,' of the lands of Kilmarnock, Bondington, and Hertschaw, which were John de Baliol's; the lands of Kilbryd and Ardnel (Portincross), which were Godfrey de Ross's, son to the deceased Reginald de Ross; all the land which was William de Mora's, in the tenement of Dalry; with seven acres of land, which were Robert de Ross's in the tenement of Ardnel; all erected into an entire and free barony to be held of the King.[9] He had also a charter of the lands of Nodelles dale;[10] and a third, granting Hertschaw in free forest.[11] He was one of the guarantors of a treaty of peace with the

[1] Crawfurd's *Peerage*, 242; Nisbet, etc. [2] *Cal. Doc. Scot.*, ii. 202. [3] Douglas. [4] Dalrymple's *Annals*, ii. 2. [5] *Cal. Doc. Scot.*, ii. 443. [6] *Ibid.*, ii. 490. [7] *Ibid.*, ii. 486. [8] *Acta Parl. Scot.*, i. 459. [9] *Reg. Mag. Sig.*, fol. ed., 6, No. 46. [10] *Ibid.*, No. 47. [11] *Ibid.*, No. 48. See Robertson's *Index*. Among the missing charters of King Robert I. are five to Robert Boyd, of Duncoll and Clark's lands in Dalswinton (p. 13, No. 77), to Robert Boyd, son of William Boyd, of the lands of Duncoll and the barony of Dunswinton and lands of Dalgarthe (p. 13, No. 86), to Robert Boyd, of the lands of Glenkin (p. 13, No. 87), of the five-pound land of Trabeache, in Kyle regis (p. 14, No. 104), and of the five-penny lands of Trabreche, in Kill (p. 22, No. 58). Also a charter of David II. to John Boyd of the lands of Guaylistoun in Galloway, forfeited by John Guailstoun.

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English 1323. He was taken prisoner at the battle of Halidonhill, 19 July 1333, and died not long afterwards. He had three sons:—

1. Sir Thomas.
2. *Alan*, who commanded the Scottish archers at the siege of Perth, under the Steward of Scotland, 1339, and was killed there.[1]
3. *James*, witness to a charter 1342.

Sir Thomas Boyd of Kilmarnock, eldest son of the preceding, had a grant from King David II. of the forfeiture of William Carpentar,[2] and afterwards accompanied that monarch to the battle of Neville's Cross, near Durham, 17 October 1346, where he was taken prisoner. He had three sons:[3]—

1. Sir Thomas, his successor.
2. *William*. He had a grant from King David II. of the lands of Auchmarr, in Dumbarton, forfeited by Duncan de Luss, 18 December 1366.[4] Thomas Fleming of Foulwood, formerly Earl of Wigtoun, having in 1372 impignorated to him the lands of Leygne for £80 sterling, he gave a charter of these lands to Malcolm Fleming of Biger and Christian his wife, dated Martinmas 1372, wherein he is styled 'filius quondam Thome Boyd de Kilmarnok, Militis.[5] The same person granted Boyd a pension of twelve merks sterling, till Fleming or his heirs should infeft the said William, or his heirs, heritably in twelve merks' worth of land, either in the shire of Dumbarton, or in that of Lanark, and had confirmation by a charter under the Great Seal 24 February 1374-75.[6] He was ancestor of the Boyds of Badenheath, a property acquired before the reign of Robert III. The last of this line appears to have been Margaret, Lady of Badenheath, daughter of William, and sister and heiress of Robert Boyd, both of that place, married to Robert Boyd, third son of the fourth Lord Boyd.[7]
3. *Robert*, occurs 1372 as a witness to his brother's

[1] Dalrymple's *Annals*, ii. 249. [2] *Reg. Mag. Sig.* [3] Wood. [4] Robertson's *Index*, 68, No. 88; *Reg. Mag. Sig.*, 58, No. 182. [5] *Reg. Mag. Sig.*, fol. 104, No. 50. [6] *Ibid.*, 109, No. 65. [7] *Ibid.*, 19 August 1618.

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charter mentioned above. He was ancestor of the Boyds of Portincross in Ayrshire.[1] Crawfurd[2] says: 'I have seen a charter on 10 June 1444, per Thomam Boyd de Kilmarnock dilecto avunculo Roberto Boyd terrarum de Arneil.' His male descendants held Portincross until the death of Robert Boyd of Portincross in 1721. He having lost his only son, disponed the barony of Portincross and Ardneil to his grandson William Fullarton, afterwards Boyd, son of Alexander Fullarton of Kilmichail in Arran and Grizel Boyd, 13 April 1712.[3]

THOMAS BOYD of Kilmarnock, the eldest son, had a remission from Robert, Duke of Albany, Governor of Scotland, in 1409, for the slaughter of Neilson of Dalrymple.[4] He married Alice, second daughter and co-heir of Hugh Gifford of Yester,[5] by whom he had a son,

THOMAS BOYD of Kilmarnock, who occurs as a witness at Edinburgh 29 March 1422.[6] He was a hostage for the ransom of King James, having a safe-conduct till 30 April to go to Durham, 3 February 1423-24,[7] and was delivered to the English envoys 28 March following. His revenue at this time was estimated at 500 merks.[8] He was confined in Dover Castle, being sent there from Fotheringay 21 May 1424.[9] By a warrant of 28 February 1424-25 he was sent for exchange to Durham,[10] being delivered at York Castle 16 June,[11] and had leave to return to Scotland till Martinmas, 16 July 1425.[12] He died 7 July 1432. He married Joanna Montgomery, said to be daughter of Sir John Montgomery of Ardrossan, by his wife, Margaret Maxwell.[13] They were both buried at Kilmarnock. Mr. Timothy Pont, who visited Kilmarnock in 1609, says:[14] 'In this church Kilmarnock ar divers of the Lord Boydes progenitors buried, amongs quhome ther is one tombe or stone bearing this inscription and coate, "Hic jacet Thomas Boyde, Dominus de Killmarnock, qui obiit septimo die

[1] Wood. [2] *Peerage*. [3] Paterson's *Ayr*, ii. 137. [4] Wood. [5] See Wood's *Peerage*, ii. 650, though under Kilmarnock he incorrectly calls her daughter of Sir John Gifford. [6] *Reg. Mag. Sig.*, 2 October 1427. [7] *Cal. Doc. Scot.*, iv. 942. [8] *Ibid.*, iv. 952. [9] *Ibid.*, 960. [10] *Ibid.*, 978. [11] *Ibid.*, 981. [12] *Ibid.*, 983. [13] Vol. iii. 431. [14] *Cunningham Topographized*, 24.

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mensis July 1432, et Johanna de Montgomery eius spousa. Orate pro iis."'[1] Two sons are recorded, viz.:—

1. SIR THOMAS, his successor.
2. *William*, Abbot of Kilwinning. He obtained from King James III. a charter confirming the various royal grants to Kilwinning Abbey,[2] and appears as an incorporated member of the newly founded University of Glasgow 1451.[3]

SIR THOMAS BOYD of Kilmarnock, Knight, eldest son of the above. One of the first acts of King James I. on his return to Scotland was to order the arrest of Sir Walter Stewart, eldest son of the Regent, Malcolm Fleming of Cumbernauld, and Thomas Boyd, younger of Kilmarnock, 13 May 1424, on the charge of having wasted the Crown rents.[4] Boyd was confined at Dalkeith, and shortly afterwards released on paying certain fines to the royal Exchequer.[5] He occurs as Bailie of Duchal 16 July 1437.[6] Early in 1439 'Sir Thomas Boyd slew Sir Allane Stewart of Gartullie, Knycht, at Pawmath Horne [Polmais Thorn] thrie myllis from Falkirk, for old feud that was betwixt thame, the third yeir after the death of King James I. Quhilk death was soone revenged thaireefter; for Alexander Stewart to revenge his brother's slauchter, manfullie sett vpoun Sir Thomas Boyd in plaine batle,' at Craignaught Hill in Renfrewshire 'quhair the said Sir Thomas was crullie slaine with manie valient men on everie syd,'[7] 9 July 1439.[8] The name of his wife is not recorded, but he had issue:—

1. ROBERT, first Lord Boyd, of whom hereafter.
2. *Sir Alexander* of Drumcol, 'a mirror of chivalry.' He was apparently knighted between Martinmas 1448-1449, and certainly before the later date.[9] Had a grant of the wardships of half Simonstoun and Bern-

[1] The following entry regarding this tomb appears in the books of the Irvine Presbytery at the Visitation of Kilmarnock, 19 June 1649, 'anent ane superstitious image that was upon my Lord Boyd his tomb, it was the Presbyteries mynd that his lordship should be written to that he wold be pleased to demolish and ding it down, and if he would refuse, that then the Presbyterie was to take a further course.' [2] Wood. [3] *Liber Collegii*, etc., 211, Maitland Club. [4] Bower's *Scotichronicon*, l. xvi. c. 9; *Exch. Rolls*, iv. lxxxvii. [5] M'Kay's *History of Kilmarnock*. [6] *Exch. Rolls*, v. 11. [7] Lindsay of Pitscottie's *Chronicles*, i. 16. [8] *Martial Achievements of the Scots Nation*, by Patrick Abercrombie, 1711-15, ii. 324. [9] *Exch. Rolls*, v. 329, 356.

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vile, 1456,[1] and the same year was appointed Warden of Thrieve Castle on its surrender to the King,[2] but was shortly afterwards removed to Dumbarton Castle.[3] He was appointed by James III. one of the envoys to treat with the English ambassador 11 April 1464,[4] and concluded a fifteen years' truce at York, January 1464-65.[5] He occurs as a witness 10 February and 24 March 1465,[6] and 28 November following was again one of the Scottish envoys appointed to meet the English ambassador at Newcastle on 4 December.[7] In 1466 he was appointed to superintend the knightly exercises of the young King. On the downfall of his brother he remained in Scotland, being ill, appeared before Parliament to answer the charges made against him, and was attainted,[8] and executed on the Castle Hill at Edinburgh 22 November 1469.[9] He married Janet Kennedy, who as his widow had an annuity of £20 allowed her, 1471.[10] She would appear to have died the same year, as there are no further payments to her. They had issue:—

(1) *Alexander*, who had a lease by Royal Letters of 8 January 1490-91, with consent of John Kennedy of Blairquhan, of half of Egirnes, Culdery, and Ardecut.[11] He was alive 21 July 1500, when he consented to a transfer of the lease, but died before August 1502.[12]

3. *Marion*, married before 20 July 1454 to John Maxwell of Calderwood.[13]
4. *Margaret*, married to Alexander (Montgomerie), first Lord Montgomerie, and had issue.[14] She was still living 16 September 1453.[15]

I. Robert, first Lord Boyd, eldest son and heir of the preceding, whom he succeeded 9 July 1439. Though he was so prominent a figure in later life, there is no account of his early years, but he was doubtless the Robert Boyd of Duchal who slew Sir James Stewart of Ardgowan at

[1] *Exch. Rolls*, vi. 178. [2] *Ibid.*, 208. [3] *Ibid.*, 209. [4] *Cal. of Documents relating to Scotland*, iv. 1341. [5] *Acta Parl. Scot.*, suppl. 30. [6] Fraser's *Chiefs of Colquhoun*, ii. 294-295. [7] *Cal. Doc. Scot.*, iv. 1362; *Acta Parl. Scot.*, suppl. 30. [8] *Acta Parl. Scot.*, ii. 186; Boyd Papers, etc. [9] Pinkerton, ii. 258. [10] *Exch. Rolls*, viii. 53. [11] *Ibid.*, x. 705. [12] *Ibid.*, xi. 455; xii. 64. [13] Fraser's *Maxwells of Pollok*, i. 466. [14] See vol. iii. 432. [15] *Memorials of the Montgomeries*, ii. 33.

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Drumglass 31 May 1445.[1] Robert Boyd of Kilmarnock had a payment of £15 in 1450 and of £3 in 1451.[2] Some time after this, and previous to 18 July 1454, when he took his seat as such, he was created by King James II. a Lord of Parliament as LORD BOYD. On 9 June the following year he was one of the Barons who sealed the forfeiture of the Earl of Douglas,[3] but he does not appear again until 1459, when he was one of the Commissioners sent to Newcastle to prolong the truce with England, his safe-conduct to 1 December being dated 13 July.[4] On the death of James II., 3 August 1460, he was one of the Regents appointed during the new King's minority, and in 1464[5] and again in 1465 was one of the ambassadors sent to negotiate a truce with Edward IV. In 1466 he obtained the appointment of his brother, Sir Alexander, as instructor of the King, James III., in knightly exercises, and having taken possession of the King's person at Linlithgow 10 July, they carried him to Edinburgh Castle, of which Sir Alexander was Keeper. The King expressed his approval, and on 13 October[6] publicly declared that he entertained no anger against Boyd, who the same day was appointed Governor of the persons of His Majesty and of his brothers,[7] and a few days later, 25 October, by an Act of Parliament ratified by a charter under the Great Seal,[8] was made sole Governor of the Realm. Lord Boyd was now supreme, and seems by no means to have abused his power, but rather to have used it for the public good; indeed, some of the measures which he introduced must have been eminently salutary.[9] Early in 1467 he arranged a marriage between his eldest son and the Lady Mary, the King's sister, and 25 August following was constituted Lord Chamberlain for life. Notwithstanding his many posts, he seems to have found time to visit England, and to have been in receipt of a pension from Edward IV. On 22 February 1466-67 he had a safe-conduct between Scotland and England for two years.[10] The English King made him a present of £10, 6s. 8d.,

[1] Asloan MS., 6, 37. [2] *Exch. Rolls*, v. 411, 453. [3] *Acta Parl. Scot.*, ii. 77. [4] *Cal. Doc. Scot.*, iv. 1301. [5] Commission, dated 11 April, *Ibid.*, iv. 1341. [6] *Acta Parl. Scot.*, ii. 185. [7] *Ibid.* [8] *Reg. Mag. Sig.*; Boyd Papers, etc. [9] *Dict. Nat. Biog.*, vi. 95. [10] *Cal. Doc. Scot.*, iv. 1368.

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22 October 1467,[1] and there is a warrant, 25 June 1468, for a payment to him of part of his yearly pension of £200 by the hands of 'Albani Herald of Scotland.'[2] On 8 September 1468 he concluded a treaty of marriage between the King and Margaret, only daughter of Christian I., King of Denmark and Norway, by which the Orkney and Shetland Islands were ceded to Scotland as her dowry and the annual tribute of one hundred merks, still nominally payable to Norway, abolished. This, which justly entitles him to a prominent place among Scottish statesmen, was his undoing. How or when this was accomplished is not quite clear. The old historians say that, taking advantage of the absence of his son, the Earl of Arran, who had been sent to Denmark to bring over the Princess Margaret, their rivals determined to strike a blow at the supremacy of the family, and that, obtaining the ear of the King, James caused them to be deprived of their offices and summoned to appear before Parliament to answer for their conduct in seizing his person three years previously; that Lord Boyd had recourse to arms, but his followers failing him, he fled to England; that Sir Alexander, being ill, was unable to escape, and was consequently captured and beheaded; and that the Earl of Arran, arriving in Leith Roads with the royal bride while the trial was in progress,[3] and being warned by his wife, at once sailed back to Denmark on a Danish ship without landing. The King, however, was married at Holyrood on 13 July 1469, and the trial of the Boyds did not take place until the November after, while a fact which appears to have been generally overlooked is that Lord Boyd himself was away on a embassy in England in the May of this same year.[4] Whatever the cause, Lord Boyd was found guilty, and in his absence sentenced to death, 22 November 1469, his Peerage being also forfeited.[5] His estates were annexed to the Principality of Scotland.[6]

In all accounts of this Lord Boyd he is said to have died at Alnwick the following year (1470), but there is ample

[1] *Cal. Doc. Scot.*, iv. 1374. [2] *Ibid.*, 1379. [3] Drummond's *Hist. of Scot.*, 120, 127; Maitland, ii. 660-665. [4] On 28 April 1469 there is a warrant from Edward IV. to pay the Bishop of Aberdeen, Lord Boyde and Dykon of Dundas of Scotland, lately come in embassy from King of Scots, in reward £200; *Cal. Doc. Scot.*, iv. 1383. [5] *Acta Parl. Scot.*, ii. 186; *P. C. Reg.*, xiii., 563 *n.* [6] *Ibid.*

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evidence to show that he was still alive Easter 1480-81. At Easter 1474 'Robert, lord of Boyde from Scotland,' received with his own hands £50 in part payment of £100 under the Great Seal for this term,[1] and on 5 August 1474 there is a warrant for the arrears of his pension of 200 merks since Michaelmas 1472, granted for his good service.[2] He was afterwards serving in the French wars with two men-at-arms and twenty archers, as appears from a payment to him at Easter 1475, he being counted as a Baron, and receiving accordingly 4s. per day.[3] Writing to the Earl of Northumberland, 13 July 1475, King James III. complains that 'oure rebell and tratoure Robert Boid is ressett within your toune of Anwik and the partis neire tharby,' that he has applied 'divers tymes to oure cousing the King of Englande' to deliver him up, but that he always evades doing so.[4] On 13 February 1475-76 he received an annuity of 200 merks from the King for seven years from the ensuing Michaelmas for his support,[5] and as 'Robert Lord Boode' had £20 by way of a gift from the King, by the hands of Francis Ogulby [Ogilvy], his servant, at Easter 1480-81.[6] This is the last reference to him that has been found, and he probably died soon afterward, almost certainly before 14 October 1482, when the title and estates were restored to his grandson. He married Mariota (or Janet), daughter of Sir John Maxwell of Calderwood. She had an annuity of £20 allowed her 1471.[7] She died after 25 June 1472, apparently early in 1473.[8]

1. THOMAS, Master of Boyd, created Earl of Arran, of whom hereafter.
2. ALEXANDER, who succeeded his nephew.
3. *Archibald* of Nariston, and afterwards in Bonshaw, occurs 7 August 1472 as of Nariston, when he is a witness to a discharge by Cuthbert, Lord Kilmaurs, to Archibald, fifth Earl of Angus.[9] In his returns for the year ending 25 June 1491 Alexander Boyd, Chamberlain of Kilmarnock, omitted Nariston, alleging that Archibald Boyd had hereditary rights there,

[1] *Cal. Doc. Scot.*, iv. 1413. [2] *Ibid.*, 1415. [3] *Ibid.*, 1428. [4] *Ibid.*, iv. p. 409. [5] *Ibid.*, iv. 1440. [6] *Ibid.*, 1463. [7] *Exch. Rolls*, viii. 53; Fraser's *Maxwells of Pollok*, i. 465. [8] The *Exch. Rolls* for June 1472-74 show the payment to her, as late wife of Robert, formerly Lord Boyd, of one half-year only. [9] Fraser's *Douglas Book*, iii. 135.

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and the said Archibald was summoned to appear 4 July next to prove his claim.[1] On 12 August 1472 Archibald Boyd and Christian Mure, his spouse, appear without any designation,[2] and on 9 September 1502 they had a lease of Bonschaw and Dririg.[3] He was dead before 4 May 1507, when Christian Mure, his relict, and her sons, paid a year's rent on taking over the lease.[4] She was living 28 January 1523.[5] They appear to have had two sons and[6] three daughters:—

(1) Robert, of Bonshaw, took over the lease of Bonshaw and Dririg 4 May 1507,[7] and died before 28 January 1523, when Mr. Archibald Boyd took his place, paying £4,[8] and held the lease till 3 May 1545, when, with his consent, John Boyd, son of the late Robert, acquired it.[9] This John was presumably the ancestor of the Boyds of Bonshaw.

(2) *Patrick* is named with his mother and brother as taking over the lease of Bonshaw and Dririg 4 May 1507.[10]

(3) —— a daughter, married, first, to Hugh Mure of Polkellie, and, secondly, as second wife, about 17 December 1493, to Archibald Craufurd of Craufurdland, and had issue by both husbands.[11]

(4) *Elizabeth*, married to Thomas Douglas, younger of Lochleven, who died *v.p.* In the birth brieve granted 30 July 1635 to her descendant Lady Isabel Hay (see p. 152) she is incorrectly described as a daughter [instead of granddaughter] of Robert, Lord Boyd.[12]

(5) *Margaret*, became, when very young, the mistress of King James IV., by whom she was mother of Alexander Stewart, Archbishop of St. Andrews and Chamberlain of Scotland (born *c.* 1499), and of Catherine, wife of James (Douglas), third Earl of Morton.[13] She afterwards married John Mure of Rowallan, of whose wardship and marriage she had had a grant, 1494-95,[14] and died a widow shortly before 31 August 1559,[15] leaving issue. Her influence with the King assisted the Boyds in recovering their position.

4. *John*, witness to the sasine of his nephew James in Kilmarnock 22 October 1482.[16]

5. *Elizabeth*. She was married, as first wife, 4 March 1467-68,[17] to Archibald (Douglas), fifth Earl of Angus, 'Bell the Cat,' and had as his wife a charter of the

[1] *Exch. Rolls*, x. 271. [2] *Reg. Mag. Sig.* [3] *Exch. Rolls*, xii. 649. [4] *Ibid.*, xiv. 491. [5] *Ibid.*, 493. [6] Paterson's *Ayr*, ii. 196. [7] *Exch. Rolls*, xiv. 491. [8] *Ibid.*, 493. [9] *Ibid.*, xviii. 366. [10] *Ibid.*, xiv. 491. [11] Paterson's *Ayr*. [12] *Reg. Mag. Sig.*, 30 July 1635. [13] See vol. i. 22. [14] *Accounts of the Lord High Treasurer*, i. 220. [15] *Exch. Rolls*, xix. 163. [16] Boyd Papers. [17] Wood's Douglas.

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lordship of Abernethy 21 May 1468.[1] She died before 1498, leaving issue.

6. *Annabella*, married, as first wife, to Sir John Gordon of Lochinvar. He died after May 1517.[2]

7. *Margaret*. She appears as wife of Robert Boyd of Badenheath, and daughter of the late Robert Lord Boyd, 15 December 1490, when she had a lease of 'Catburnbiris Uvir' in consideration of being a daughter of the said late Lord Boyd.[3] She was still living and holding the same lands August 1502.[4]

THOMAS, Earl of Arran, is first mentioned in 1467, when he was, by his father's influence, married to the Lady Mary, sister of the reigning King (then a minor), James III., and created EARL OF ARRAN by charter dated 26 April. Though this was the customary method of creating Scottish earldoms at that date, 'the form of the erection of the earldom of Arran was somewhat peculiar,'[5] four charters being simultaneously granted, 26 April 1467, to Thomas, Master of Boyd, the designed Earl, and Mary, his wife.[6] The first of these conveyed the isle of Arran, within the sheriffdom of Bute, the second the lands of Stewartoun, Tarrinzean, Turnbery, and Risedalemure, in Ayrshire, and Meikle Cumrey, in Bute; the third Cavertoun, in Roxburghshire, Teling in Forfarshire, and Polgavy, in Perthshire, and the last Kilmarnock, Dalry, Kilbride, Nodesdale, Monfodd and Flat, in Ayrshire, and Naristoun, in Lanarkshire, on the resignation of his father. He sat in Parliament 16 October 1467. On the 25 April 1468 he was with other nobles, including Lord Boyd, a party to a mutual agreement anent the guardianship of the King,[7] and the same year was one of the Commissioners appointed to visit foreign Courts to select a wife for the King. A marriage treaty having been arranged with the Princess Margaret of Denmark, he proceeded with a noble train to escort her to Scotland. Returning July 1469, his wife hastened on

[1] *Reg. Mag. Sig.* [2] Annabella is also said to have been married to Sir Edmund Hay of Talla and Linplum. *Cf.* p. 102 *note*. [3] *Exch. Rolls*, x. 697. [4] *Ibid.*, xii. 647. [5] See note by R. R. Stodart, Lyon Clerk Depute, *The Complete Peerage*, i. 132. [6] *Reg. Mag. Sig.*, i. Nos. 912-915. [7] Boyd Papers.

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board to apprise him of the change in the King's feelings, and having landed the Princess, he immediately sailed back to Denmark accompanied by his wife. He was attainted along with his father 22 November 1469. Here all certainty as to his movements ends. Buchanan[1] says that he passed through Germany to France and Burgundy, where he sought service with Charles the Bold, and died at Antwerp, where a magnificent monument was erected to his memory. In an undated letter of John Paston to Sir John Paston,[2] he is referred to in terms of the highest eulogy as 'the most courteous, gentlest, wisest, kindest, most companionable, freest, largest, most bounteous knight'; and as 'one of the lightest, deliverst, best spoken, fairest archer, devoutest, most perfect, and truest to his lady, of all the Knights that ever' the writer 'was acquainted with.' Fenn conjectures that the letter was written in 1470 or 1472; but the expression 'my lord the Earl of Arran, which has married the King's sister of Scotland,' coupled with the absence of any reference to the sudden precipitation of the family from supreme power, would seem to argue an earlier date.[3] Whatever the actual date may be, he was then in London, lodging at the George in Lombard Street, his wife apparently with him. The date of his death is unknown, but is conjectured to have occurred before 1474. He was contracted, 20 January 1465, to Marion, youngest daughter of Gilbert, first Lord Kennedy,[4] but this marriage does not appear to have taken place, and he married, as already stated, before 26 April 1467, the Lady Mary, eldest daughter of King James II. The earliest mention we have of her is a payment of her expenses at Falkland, 9-10 May 1452, when on her way from Stirling to St. Andrews, and when she can have been two years old at most.[5] There are frequent notices of her subsequent to this. When she returned to Scotland is not known, but as she is said to have been greatly attached to her husband it is supposed that she returned in hopes of obtaining a pardon from her brother. She was, however, confined at Kilmarnock, and the Earl, her husband, summoned to appear within sixty days, which he failing to do, his marriage with the King's

[1] *Hist. of Scotland*, ii. 133. [2] *Paston Letters*, iii. 47. [3] *Dict. Nat. Biog.*, vi. 95. [4] Culzean Charters, Nos. 76, 96. [5] *Exch. Rolls*, v. 537.

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sister was declared null and void, and she was compelled to marry James, Lord Hamilton.[1] According to Ferrerius, Buchanan, and other old historians, this took place in 1469, but the correct date was probably February or March 1473-74.[2] She died apparently about Whitsuntide 1488,[3] having had a son and daughter by both husbands. The Earl of Arran's children, who are both said to have been born abroad, were:—

1. JAMES, of whom presently.
2. *Grizel* or *Margaret*. She is called Grizel in the pedigrees, but appears as Margaret in the Registers of the Great Seal, and in the Papal Dispensation, etc.[4] She was born between 1468 and 1473, and was married, first, to Alexander, fourth Lord Forbes, who died *s.p.* before 16 May 1491; secondly, as second wife, before 9 August 1509, to David (Kennedy), third Lord Kennedy, then created Earl of Cassillis, who died *s.p.* by her, at Flodden, 9 September 1513. In the accounts of Lord Home, Chancellor of the earldom of March 1493-94 there is a payment to her as '*amita regis*' of £20 by express command of the King, and a similar sum in name of pension for the preceding term of Whitsuntide.[5] From this date to 1509 the *Exchequer Rolls* show regular payments of her allowance of £40 per annum. In 1495-96 she appears as receiving dress with the rest of the Royal Family.[6] She was served heir to her brother in his lands in the counties of Ayr, Lanark, Edinburgh, Perth, and Forfar, 27 March 1495,[7] and was living, a widow, 9 February 1515-16, when she made an appeal in connection with a dispute she had with her stepson, the second Earl of Cassillis.

II. JAMES, second Lord Boyd, only son of Thomas, Earl of Arran, and grandson and heir of the first Lord Boyd. He was restored to the property by two charters,[8] dated 14 October 1482, to his mother in liferent and to himself in

[1] Buchanan. [2] *Accounts of the Lord High Treasurer*, i. xlii. 69; see also vol. iv. 352. [3] *Exch. Rolls*, x. 118. [4] *Diocesan Reg. of Glasgow*, Grampian Club, ii. 320. [5] *Exch. Reg.*, x. 379. [6] *Accounts of the Lord High Treasurer*, i. 265. [7] Boyd Papers, Ayr Arch. Coll., iii. 144. [8] *Ibid.*, iii. 139.

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fee, of the lands of Kilmarnock and others in Ayrshire; Teylyng and Brechty in Forfarshire; Caverstoun in Roxburghshire; Naristoun in Lanarkshire and Polgavy in Perthshire, and had instrument of sasine on these as 'James, Lord Boyd,' in the barony of Kilmarnock, 22 October following, and in the lands of Monfod, Kilbryd, Flat, Ravisdalemure, Dalry, 25 October, and in those of Ormscleuch, Chapelton, Bollynschaw, Dririg, etc., 26 October.[1] Previous writers say that he was not restored as LORD BOYD, but it seems plain from this that they are wrong, and that his grandfather, having died between Easter 1480-81 and 14 October 1482, he was allowed by the King, his uncle, to take the title. He is named James, Lord Boid, as a witness to a charter January 1483-84.[2] He was killed in a feud with Hugh Montgomery of Eglintoun the same year,[3] when he must have been under sixteen. According to Boyd of Trochrig 'in ipso adolescentis flore periit inimicorum insidiis circumventus.[4] He was unmarried, and on his death Kilmarnock reverted to the Crown.

III. ALEXANDER, but for the attainder of 1469 *de jure* third Lord Boyd, though no evidence can be produced that he ever bore the title of Lord Boyd or was recognised. He was uncle and heir-male of the preceding, being the second son of the first Lord Boyd. Appointed Chamberlain of Kilmarnock before 2 August 1488,[5] and had a lease of Drumcoll the same year.[6] He had charters of the lands of Ralstoun and others, in the barony of Kilmarnock, 30 November 1492.[7] His accounts as Chamberlain end 15 April 1504, when the lordship of Kilmarnock was granted to the Queen Margaret (Tudor), the consort of James IV., to whose sasine 19 April 1504 he was a witness.[8] Crawfurd[9] says that he was appointed Chamberlain in 1505, and he has been followed by later writers, but if this date is correct it can have only been a reappointment by the Queen, from whom, on 26 June 1508, he had a tack of the lordship of Kilmarnock.[10] The date of his death

[1] Boyd Papers, iii. 139, 141, 142. [2] *Reg. Mag. Sig.*, i. 330, No. 1573. [3] M'Kay's *Hist. of Kilmarnock*, 32. [4] Mss. Advocates' Library. [5] *Exch. Rolls*, x. 91. [6] *Ibid.*, 637. [7] *Reg. Mag. Sig.* [8] *Cal. Doc. Scot.*, iv. 1737. [9] *Lives of Officers of State*, 317. [10] Boyd Papers, iii. 152.

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has not been ascertained. He is stated to have been a great favourite with King James IV. He married Janet, sister[1] of Sir William and daughter of Sir Robert Colville of Ochiltree. They were related within the third and third and fourth and fourth degrees of consanguinity, and had a dispensation for the marriage already contracted between them and legitimising the children already born, 23 November 1505.[2] They had issue:—

1. ROBERT, his heir, of whom presently.
2. *Thomas*, ancestor of the Boyds of Pitcon. He had a charter of the lands of Linn, a property in the parish of Dalry, Ayrshire, wherein he is designed 'brother-german to Robert Boyd in Kilmarnock, in May 1532.'[3] He died 1547. By his will, dated 8 November 1547, and confirmed at Glasgow 11 April 1548, he directs his body to be interred in the family burial-ground at Kilmarnock, and appoints John Fernlye [Fairlie] of that Ilk, Thomas Boyd, his son, and Robert, Lord Boyd, executors.[4] He married[5] Marion, daughter of John Fairlie of that Ilk, who survived him, and married, as second wife, Sir James Stewart of Bute, by whom she was ancestress of the Marquesses of Bute. She was living 11 October 1580.[6] By her Thomas Boyd had two sons, Thomas and Robert, who both fought for Queen Mary at Langside, for which they obtained remissions 8 September 1571.[7] Thomas the elder was of Pitcon in the valley of Dalry, a property which was held by his male descendants until 1770, when Robert Boyd, eighth of Pitcon, sold it to George Macrae, merchant in Ayr. He had issue, but the male line, so far as is known, is extinct.[8]
3. *Adam*, ancestor of the Boyds of Penkill and Trochrig. He appears as a witness with his father and eldest brother 21 November 1546,[9] and died after 21 November 1577.[10] He married, apparently before December 1531,[11]

[1] See her letter applying for a dispensation of her marriage; Boyd Papers, 150. [2] *Ibid.*, 151. [3] Confirmed 11 May, *Reg. Mag. Sig.* [4] *Glas. Com. Rec.* [5] Crawfurd's *Peerage*, 55, citing a charter by Thomas Boyd of Pitcon. [6] See vol. ii. 292. [7] *Reg. Mag. Sig.* [8] Paterson's *History of Ayr*, 1847, i. 421. [9] *P. C. Reg.*, i. 151. [10] Robertson's *Ayrshire Families*, 214. [11] *Acta Dom. Conc. et Sess.*, vi. 79.

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Helen, widow (with issue)[1] of Robert Graham of Knockdolian, youngest daughter of John Kennedy, second Lord Kennedy (who was still living 22 October 1564), and had issue:—

(1) *Robert*, second of Penkill, whose male issue failed in 1750 on the death of Alexander Boyd, ninth of Penkill.[2]

(2) *Mr. James*, of Trochrig, Archbishop of Glasgow, died 21 June 1581.[3] His son Robert, second of Trochrig, the celebrated divine, was great-great-grandfather of Robert (not John) Boyd of Trochrig, who on the extinction of the Penkill line in 1750, succeeded to that estate, being served heir-male to his remote cousin Thomas Boyd of Penkill 28 February 1752.[4] He died *s.p.m.*, November 1761,[5] when Trochrig devolved on his daughters *Ann* and *Grace*, the former of whom married William Boyd Robertson, and had an only child, a daughter, who sold Trochrig, and Penkill passed to his nephew and heir-male Spencer Boyd, and his descendants were owners in 1847.[6]

(3) —— a daughter, married to James Chalmers of Sauchrie.[7]

4, 5, 6. Three other sons.[8]

7. *Margaret*,[9] wife of George Colquhoun, third of Glens, by whom she had an only daughter and heiress, *Margaret*, who married her cousin-german, Robert, fifth Lord Boyd.

8. *Euphemia*, wife of John Logie of Logiealmond in Perthshire, by whom she had issue a daughter and heiress *Margaret*, who married the Hon. Thomas Hay, and was mother of the seventh Earl of Erroll. In the birth-brieve under the Great Seal granted to the Lady Isabel Hay, daughter of the ninth Earl of Erroll, by his wife, Lady Elizabeth Douglas, daughter of the Earl of Morton, she is called daughter of *Robert* (*sic*), Lord Boyd of Kilmarnock, by his wife, *Isabella*, daughter of Sir *James* Colville of Ochiltree.[10]

IV. Robert, fourth[11] Lord Boyd of Kilmarnock, eldest son and heir of the preceding. According to Crawfurd[12] he was restored to the title of Lord Boyd 1536, and had a grant from King James v., whom he faithfully served at

[1] See vol. ii. 460. [2] Paterson's *Ayr and Wigton*, ii. 286. [3] Scott's *Fasti*, ii. 120, 377. [4] *Retours*. [5] *Ibid.* [6] Paterson's *History of Ayr*, i. 304. [7] Wodrow's MS. Life of Trochrig. [8] Exanimi plane virilis fœmina Colvilliorum phylarchi filia sex filios suscepit, viros acerrimos et manus juxta consilioque promptissimos; R. Boyd MS. in *Bibl. Jurid.* [9] Fraser's *Chiefs of Colquhoun*, ii. 260; *Scottish Antiquary*, iv. 78. [10] *Reg. Mag. Sig.*, 30 July 1635. [11] See note 2, p. 155. [12] *Peerage*.

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home and abroad, of the lordships of Kilmarnock 20 May 1536, but this would appear incorrect. He is first mentioned in connection with a feud with the Montgomeries, in which Patrick Montgomerie of Irvine was slain, December 1523.[1] This appears to have been in revenge for the murder of James, Lord Boyd, in 1484, and the feud continued more or less till 2 May 1530, when the Earl of Eglinton having interfered, a settlement was come to at Glasgow, by which it was agreed that Boyd should accept 'for the slauchter of his chief' the sum of two thousand merks, and should marry his son and heir to one of the Earl's 'oos.'[2] On 24 June 1525 he had a discharge from Archibald, Earl of Angus, for the 'fermes' of Kilmarnock pertaining to his spouse, the Queen of Scotland,[3] and another from the Queen herself, 27 November 1529,[4] having, 26 June 1525, been appointed a Squire of the Household.[5] Among the Boyd papers is a bond of mutual assistance between this Robert Boyd and Queen Margaret and the Lord Methven, her husband, 26 May 1529.[6] He had apparently succeeded his father as Bailie and Chamberlain of Kilmarnock, at least he resigned that position 5 May 1534, when his son was appointed in his place,[7] the said son having previously, 13 June 1532, had a nine years' lease of the lands of Kilmarnock from the Queen.[8] Henceforth 'Robert senior' appears as 'formerly in Kilmarnock' and under this designation he and Helen Somerville, his spouse, had a grant of the lands of Dundonald in Walters-kyle in exchange for lands in Cunyngham, 20 May 1536;[9] under the same description they had a further grant of the lands of Chapelton, etc., in the lordship of Stewartoun, in recompense for their renunciation of all their claims and rights to the lands and barony of Kilmarnock, 13 August 1536,[10] and he and his wife for services in France and elsewhere had a new grant of the said lands[11] and of the lands and castle of Dundonald, 1 June 1537.[12] In 1543 Robert Boyd protested against the reduction of the forfeiture of Sir James Colville of East Wemyss,[13] and the same year he rendered material assistance to the Regent Arran against

[1] Paterson's *Ayr*, ii. 174. [2] Boyd Papers, iii. 163. [3] *Ibid.*, 160. [4] *Ibid.*, 161. [5] *Ibid.*, 162. [6] *Ibid.* [7] *Ibid.*, 163. [8] *Ibid.*, 167. [9] *Reg. Mag. Sig.* [10] *Ibid.* [11] *Ibid.* [12] *Ibid.* [13] *Acta Parl. Scot.*, ii. 430.

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the Lennox faction at the battle of Glasgow.[1] It was doubtless in reward for this help at a critical juncture that he was ultimately restored as LORD BOYD. The date of this is generally given as 1549,[2] when he is said to have been confirmed by a novodamus in all the estates, honours, and dignities that belonged to his grandfather. The precise date of this novodamus, which is not recorded in the Register of the Great Seal, is not given, but the actual date of the restoration of the title was between 22 September 1545 and 17 November 1546. The property, however, was probably restored in 1543, as on the 29 October that year he had a letter from Queen Mary, discharging the execution of any letters at the instance of the Master of Glencairn, charging the said Robert Boyd or 'any otheris withholderis of the castle of Kilmarnock to deliver the same to him or any of his servants,'[3] and on the 11 March 1544-45 he was served heir to James Boyd, the son of his father's elder brother, in the lands of Kilmarnock, Dalry, Kilbride, etc., being thus acknowledged as head of the family.[4] 'Robert boyd of Kilm'nok' was one of those who subscribed the act pledging themselves to defend the country against the English in the Parliament held at Stirling 26 June 1545.[5] Robert Boyd, son and heir-apparent of Robert Boyd of Kilmarnock, had sasine on precept by Queen Mary following a resignation by his father 22 September 1545,[6] and Robert, Lord Boyd of Kilmarnock and Robert, Master of Boyd, his son, witnessed a contract between the Countess of Eglinton and Montgomerie of Langschaw, 17 November 1546.[7] It is clear, therefore, that the title had been restored, or that there had been a fresh creation in the interval between the two last dates. He was present at the meeting of the Privy Council at St. Andrews, 19 December 1546.[8] Notwithstanding the agreement come to in 1530, the feud with the Montgomeries still continued, and Sir Neil Montgomerie of Lainshaw was slain by Lord Boyd and his adherents in a skirmish in the streets of Irvine in 1547.[9] This was warmly resented, and the feud raged until in 1560-61, when, in the

[1] Herries' *Hist. of Queen Mary*, Abbotsford Club, 10. The writer in the *Dict. Nat. Biog.* assumes it was his son. [2] *Complete Peerage*, Wood's Douglas, etc. [3] Boyd Papers. [4] *Complete Peerage*, i. 399. [5] *Acta Parl. Scot.*, ii. 595. [6] Boyd Papers, iii. 178. [7] *P. C. Reg.*, i. 49. [8] *Ibid.*, 57. [9] *Memorials of Montgomeries*, i. 38; ii. 151, 155.

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time of his son, peace was restored between the parties by a mutual compromise.[1] Robert, fourth Lord Boyd, died between 29 July 1557, when his son is styled Master of Boyd, and 10 May 1558, when the son was 'now Lord Boyd.'[2] He married before 1518,[3] Helen, daughter of Sir John Somerville of Cambusnethan. He married, secondly, before December 1542, Elizabeth Napier, widow of Humphrey Colquhoun of Luss,[4] and thirdly, before February 1548-49, Marion, daughter of Sir John Colquhoun of Luss. She survived him, and was married, secondly, to Captain Thomas Crawfurd of Jordanhill.[6] Had issue:—

1. Robert, fifth Lord Boyd, of whom hereafter.
2. *Margaret*, married John Montgomerie of Lainshaw, who died before 10 February 1560-61, when she was living a widow.

V. Robert, fifth[7] Lord Boyd, only son and heir of the last, was born about 1517, and first occurs 5 May 1534, when he was appointed Bailie and Chamberlain of Kilmarnock in place of his father.[8] On the 6 September 1545 he, as son and heir-apparent of Robert Boyd of Kylmernok, had a charter of the lordship of Kilmarnock on his father's resignation, with sasine following 22 September.[9] On 10 February 1548-49 he granted a charter to Marion Colquhoun, his father's wife, and he himself had a charter of the lands of Auchintorlie and others on 14 October 1550.[10] In his time was ended the Boyd-Montgomerie feud, which had lasted

[1] Boyd Papers, iii. 184. [2] *Acts and Decreets* xv. f. 371; xvii. f. 206. [3] *Complete Peerage*, i. 399. [4] *Acts and Decreets*, i. 151. [5] *Reg. Mag. Sig.* [6] *Chiefs of Colquhoun*, i. 91. [7] Considerable confusion exists as to the numbering of the Lords Boyd. In the *Complete Peerage* this Robert is considered third Lord, though in the *Dict. Nat. Biog.*, as in Douglas, 'he is, for some cause, called the fourth Lord, though, if the attainder is not reckoned (whereby three persons, viz. (1) the Earl of Arran (living 1472); (2) James Boyd (died 1484), son and heir of the Earl of Arran; and (3) Alexander Boyd (living 1505), uncle and heir of the said James, were excluded from the succession), he would apparently have been sixth Lord,' see p. 399, note *b*. We now know that the Earl of Arran died *v.p.*, and that James was restored as Lord Boyd in 1482, therefore this Robert was apparently *de facto* fourth Lord. As, however, there is some doubt on the point, the present writer has determined to reckon them as if each head of the family since the original creation of 1454 had actually succeeded to the Peerage, as indeed but for the attainder of 1469 they would have done. [8] Boyd Papers. [9] *Ibid.*, iii. 178. [10] *Reg. Mag. Sig.*, 11 February 1540-49 and 14 October 1550.

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since 1484. On the 25 August 1563 Hugh (Montgomerie), Earl of Eglington, and Robert, Lord Boyd, entered into a mutual bond of defence,[1] and the same day the former assigned to the latter his right to the office of Bailie of the canon lands of Cunyngham pertaining to the Canons and Chapter of Glasgow.[2] He first appears in Parliament when it met at Edinburgh 29 November 1558, and he was then elected on the Articles.[3] In the war between the Queen-Regent and the Lords of the Congregation, he espoused the part of the latter, and was with them at Perth May 1559. In February 1559-60 he was one of the signatories to the Treaty of Berwick, by which Elizabeth agreed to send a force to assist them in driving out the French, and the following April joined the English army at Prestonpans.[4] On the 27 of that month he was one of the Scottish nobles who signed the bond pledging themselves 'to set forward the reformation of religion and to expel the French.'[5] He was present at the unsuccessful attack made on Leith, 7 May, by the English,[6] and on the 10 signed the document by which the Treaty of Berwick was confirmed. On the 16 August 1560 he signed the address to Elizabeth, praying her to marry the Earl of Arran,[7] and on the 27 January 1560-61 he subscribed the 'Book of Discipline of the Kirk.'[8] He was also a party to the bond signed at Ayr on 3 September the following year to 'maintain and assist the preaching of the Evangel.'[9] He took part in the attempt on Edinburgh after the marriage of the Queen, for which he was cited to appear before the King and Queen 6 September,[10] and before the Privy Council 29 October,[11] and was declared guilty of *lèse majesté* 1 December 1565.[12] Shortly afterwards, however, 6 March 1565-66, he had a pardon from 'Henry, King of Scots,' and was commanded to repair to Court.[13] Boyd's political attitude now underwent a complete change. If any credit is to be given to the, so-called, dying declaration of Bothwell, Boyd, according to that version of it which is found in Keith,[14] was privy to the murder of Darnley. His name, however, is not mentioned in

[1] Boyd Papers, iii. 185. [2] *Ibid.* [3] *Acta Parl. Scot.*, ii. 503. [4] *Dict. Nat. Biog.* [5] *Cal. of State Papers relating to Scot.*, i. 383. [6] Lesley's *Hist. of Scot.*, Bann. Club, 284. [7] *Cal. of State Papers relating to Scot.*, i. 465; *Acta Parl. Scot.*, ii. 606. [8] *Dict. Nat. Biog.* [9] *Ibid.* [10] *P. C. Reg.*, i. 365. [11] *Ibid.*, 386. [12] *Ibid.*, 409. [13] Boyd Papers. [14] *Hist. of Scot.*, App. 144.

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the copy, or rather abstract, preserved in the Cottonian Library, nor in the fragment, *Cal. Docs.*, ii. fol. 519, in the same collection,[1] and the original was in all probability a forgery. He was one of the jury who acquitted Bothwell, 12 April 1567,[2] and 17 May following, two days after the Queen's forced marriage with that nobleman, was made a Privy Councillor.[3] From this time forward he was unceasing in his efforts to obtain the release and restoration of his Queen. Nevertheless he joined Moray's Council,[4] but immediately left it on Mary's escape from Lochleven, 2 May 1568; he joined her at Hamilton with two of his sons and a considerable force, and fought for her at the battle of Langside, 13 May.[5] After that defeat he retired to Kilmarnock, and on the 24 May was ordered by the Council to deliver 'the castell, tour, and fortalice of Kilmarnock, and also the tour and fortalice of Law,'[6] which he did. He joined in the letter to the Duke of Alva, asking for his assistance on Mary's behalf, 30 July.[7] In September he was appointed one of the Bishop of Ross's colleagues for the conference to be held at York,[8] and while there is accused of having 'practised to steale away' Mary secretly.[9] He afterwards accompanied the Bishop to London, and was one of the Commissioners for Queen Mary.[10] Lord Boyd was intrusted by the Duke of Norfolk with a diamond to deliver to Queen Mary at Coventry as a pledge of his affection and fidelity, and in a letter to him, apparently written in December 1569, she says: 'I took the diamant from my lord Boyd, which I shall kepe unseene about my neck till I give it agayn to the owner of it and me both.'[11] On the 4th June 1569 he was appointed by her to treat with her subjects of Scotland anent a reconciliation,[12] and to proceed in an action for a divorce from Bothwell.[13] Chalmers[14] says that Bothwell's consent to the divorce had been obtained before the commencement of a correspondence with Norfolk, and

[1] *Dict. Nat. Biog.* [2] Herries' *Hist. of Queen Mary*, 87. [3] *P. C. Reg.*, i. 509. [4] *Ibid.*, i. 697; xiv. 23 *n.* [5] *Cal. of State Papers relating to Scot.*, ii. 405. [6] *P. C. Reg.*, i. 626. [7] *Cal. of State Papers relating to Scot.*, ii. 469. [8] *P. C. Reg.*, xiv. 25. [9] *Cal. of State Papers relating to Scot.*, iii. 452. [10] *Dict. Nat. Biog.*; Boyd Papers, iii. 186, 187. [11] *Lettres de Marie Stuart*, ed. by Prince Labanoff, iii. 5. [12] Boyd Papers, iii. 191. [13] *P. C. Reg.*, ii. 8. [14] *Life of Queen Mary*, i. 331.

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that the document itself 'remained among the family papers of Lord Boyd to the present century.' This, however, has not been found, though a draft of the formal authority to apply for the divorce is among them.[1] The Privy Council decided to do nothing,[2] and after reporting the failure of his mission to Mary, Lord Boyd appears to have remained in England for some time, during which the record of his life is very scanty.[3] At this time he stood very high in the estimation of his mistress, who desired to retain him, with the Bishop of Ross, permanently about her person.[4] Authority for this was granted by Elizabeth, 30 March.[5] Before this date, however, he had returned to Scotland, and was actively engaged in preparing for a general rising in her favour. He was suspected of complicity in the murder of Moray, 22 January 1569-70,[6] and was with the Hamiltons at Glasgow 17 February.[7] On the Friday after, 22 February, he and the Earl of Argyll met the Earl of Morton and the Laird of Lethington at 'Dawkethe,'[8] and on 16 April he signed the letter from the Duke of Chatelherault to Queen Elizabeth, praying her to come to an agreement with Mary.[9] In June 1570 he is mentioned as being at Kilmarnock and remaining 'constantly at the Queen's obedience.'[10] In a postscript to Randolph's letter to Sussex, 21 August, he says: 'The "brute" is that Lord Boyd is taken.'[11] In September Queen Mary mentions him as one of the nobles from whom two could be chosen to treat on her behalf with Elizabeth,[12] and the Bishop of Ross writes to him, 1 October: 'The English will be content to restore the Queen of Scotland to her realm, I take it. But that they have the Prince, her son, in their hands.'[13] Early in 1571 he appears to have been again in England; on the 10 March the Bishop of Ross writes to Burghley: 'Morton promised to Boyd before his departure out of Scotland to abstain from all that might hinder the Queen's restitution, and to agree,'[14] but he was back at Edinburgh in April,[15] and on 30 May Morton

[1] See Ayr Arch. Coll., iii. [2] *Dict. Nat. Biog.* [3] *Lettres de Marie Stuart*, ed. Labanoff, ii. 265. [4] *Ibid.*, iii. 20; *Cal. of State Papers relating to Scot.*, ii. 619. [5] *Lettres de Marie Stuart*, ed. Labanoff, ii. 637. [6] *Ibid.*, iii. 59. [7] Calderwood, ii. 528; *P. C. Reg.*, xiv. 37. [8] *Cal. of State Papers relating to Scot.*, iii. 83. [9] *Ibid.*, 117. [10] *Ibid.*, 219. [11] *Ibid.*, 322. [12] *Ibid.*, 360. [13] *Ibid.*, 367. [14] *Ibid.*, 497. [15] *Ibid.*, 531.

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declared to him that the treaty was dissolved.[1] He attended the meeting of the nobility at Dunblane, 17 July,[2] and is recorded as having endeavoured to bring all to the Queen's side;[3] but on 12 August he, together with the Earls of Argyll, Cassillis, and Eglinton, 'considering the calamite quhairwith this realme, thair native cuntre, is plagit,' and that the Queen was detained in England, came to an agreement with the Earls of Morton and Mar to serve the King.[4] The Queen had evidently anticipated something of the kind, as on 28 June she had written to de la Motte Fénelon that she was advised that Argyll, Atholl, and Boyd 'comme désespérés d'aucune ayde commancent à se rettirer et regarder qui aura du meilleur.'[5] On 5 September Lord Boyd was a consenting party to the election of the Earl of Mar as Regent, and two days afterwards he was made a Privy Councillor.[6] The same day he signed the admonition to those who held Edinburgh against the King.[7] On 8 September he had a remission under the Great Seal.[8] He was included in the Act of Indemnity of 26 January 1571-72,[9] and subscribed the Articles of Pacification at Perth on 23 February 1572-73,[10] by one of which he was appointed one of the judges of the trial of claims for restitution of goods arising out of acts of violence committed during the Civil War;[11] Provost of Glasgow 1573-74 to 1577,[12] and an Extraordinary Lord of Session 24 October 1573.[13] On 2 January 1573-74 he obtained from Morton charters of the offices of Bailiary and Justiciary of the regality of Glasgow for himself and his heirs,[14] having in the previous November forcibly ejected Sir John Stewart.[15] The same year he was appointed a Commissioner for musters in the Bailiary of Cunningham.[16] Boyd lost his seat both at the Council table and on the Bench, but on Morton's appointment as Prime Minister in July he was again appointed a Privy Councillor,[17] and on 25 October

[1] *Cal. of State Papers relating to Scot.*, 591. [2] *Ibid.*, 631. [3] *Ibid.*, 636. [4] *Ibid.*, 643. The text is printed in full among the Boyd Papers; Ayr Arch. Coll., iii. 193; cf. *Historie of King James the Sext*, 85; *Cal. of State Papers relating to Scot.*, iii. 664. [5] *Lettres de Marie Stuart*, ed. Labanoff, iii. 304. [6] *Acta Parl. Scot.*, iii. 69. [7] *Ibid.*, iii. 70. [8] Boyd Papers, iii. 194; *Reg. Mag. Sig.* [9] *Acta Parl. Scot.*, iii. 76. [10] *P. C. Reg.*, ii. 193. [11] *Ibid.*, 195. [12] Gibson's *Hist. of Glasgow*, 390. [13] Hailes' *Cat.*, 5. [14] *Reg. Mag. Sig.*, iii. 2407. [15] *Dict. Nat. Biog.* [16] *Acta Parl. Scot.*, iii. 92. [17] *Ibid.*, 150.

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had his seat on the Bench restored to him.[1] On the 23rd of the same month he was compelled to surrender the Bailiary of the Regality of Glasgow to the King, as Earl of Lennox.[2] On the 8th of September he was one of the eight noblemen nominated by the King for quieting the troubles 'that be thair gude counsale and assistence sa gude and necessar a work may proceid and be set fordwart, to the plesour of God, his Hienes obedience and the repose and quietnes of the troublit commounwelth.'[3] The next year he was, on 1 May, appointed one of the commission to pursue and arrest the Lords John and Claude Hamilton, who were charged with the murders of the Regents Moray and Lennox.[4] They, however, made good their escape into England. The commissioners were thanked by Parliament for their services 22 May.[5] Lord Boyd was a party to the conspiracy known as the Raid of Ruthven,[6] but on its collapse he retired to France, from whence he was recalled by a highly complimentary letter from King James, dated 11 February 1585-86. He was back in Scotland before 21 June, when for the third time he was appointed an Extraordinary Lord of Session, and he was one of the three Scottish commissioners who negotiated the treaty of alliance with England, which was signed 5 July. On the 4th of April 1587-88 he was a commissioner to raise the £100,000 for the expenses connected with the King's marriage.[7] On 4 July that year he resigned his seat on the bench.[8] In 1589 he was placed on the commission to enforce the statute against the Jesuits,[9] and in October, on the King's leaving for Norway, was constituted one of the Wardens of the Marches, with a seat on the Council.[10] This was his last public appearance, and he died 3 January 1589-90,[11] aged seventy-two, having for over thirty years played a prominent part in Scottish history. He was buried in the Low Church at Kilmarnock.[12] Will proved at Edinburgh, 8 June 1590.[13] He had been careful to pursue the policy commenced by his father in cultivating the support and friendship of his neighbours. Among

[1] Hailes' *Cat.*, 58. [2] *P. C. Reg.*, iii. 8. [3] *Ibid.*, 25-26, 33-34. [4] *P. C. Reg.*, iii. 146. [5] *Ibid.*, 165. [6] Paterson's *Ayr*, ii. 177. [7] *P. C. Reg.*, iv. 269. [8] Wood. [9] *P. C. Reg.*, iv. 423. [10] *Ibid.*, 430. [11] *Select Epitaphs on Illustrious and Other Persons*, by John Hackett, 2 vols. London, 1757. [12] M.I., M'Kay's *History of Kilmarnock*, 35; Crawfurd, 244. [13] *Edin. Com. Rec.*

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the Boyd Papers are numerous bonds of manrent.[1] He had, however, broken the old family alliance with the Mures, and a feud continued for several years, till, on 14 September 1589, Lord Boyd paid John Mure of Rowallan 350 merks for the slaughter of his father.[2] On 24 August 1536 Humphrey Colquhoun of Luss, as lord superior, granted to Robert Boyd and Margaret Colquhoun, daughter and heiress of John (*sic*) Colquhoun of Glinns, his spouse, a charter of the lands of Glens, in Stirling,[3] and they had, 18 February 1546-47, a charter under the Great Seal of Balindoran in the same county.[4] He acquired the barony of Portincross and Ardneill from Robert Boyd of that place by contract, 19 April 1572, and had sasine 24 May 1574, following a Crown charter of 11 March of the said lands 'formerly belonging to Archibald Boyd.'[5] He also had charters of Giffardland, on resignation by Isabella and Margaret Craufurd, 14 September 1577,[6] and of Bedlay, Molany, etc. 10 February 1582-83.[7]

Lord Boyd married (contract dated 1535[8]) his cousin-german, Margaret, daughter and heiress of George (not Sir John) Colquhoun, fourth of Glens, by his wife Margaret Boyd, by which marriage the estates of Glens, Bedlay, Benheath, Stablegreen of Glasgow, and other lands passed to the Boyds.[9] She survived him,[10] and died a widow August[11] 1601, being buried in the Metropolitan Church of Glasgow, where there is a tomb to her beside St. Mungo's well in the south-east of the lower church.[12] By her will, dated 13 May 1601, she appointed Alexander Colquhoun of Colquhoun and Luss her executor.[13] They had issue:—

1. THOMAS, Lord Boyd, of whom afterwards.
2. *Robert* of Badenheath or Badinhaith in Stirlingshire. He fought for his Queen at Langside 13 May 1568,

[1] Paterson's *Ayr*, quoting Charter-chest. [2] *Ibid.*, ii. 176; Boyd Papers. [3] Fraser's *Chiefs of Colquhoun*, quoting original Charter at Rossdhu, i. 104. [4] *Reg. Mag. Sig.* [5] *Ibid.*; Boyd Papers. [6] *Reg. Mag. Sig.*; Boyd Papers, 195-198. [7] *Reg. Mag. Sig.* [8] Fraser's *Chiefs of Colquhoun*, ii. 260. [9] *Ibid.* [10] *P. C. Reg.*, vi. 655. In Crawfurd's *Hist. of Renfrew* (Robertson), 71, she is said to have re-married Captain Thomas Craufurd, Provost of Glasgow 1577, but this is impossible. See *Scottish Antiquary*, iv. 76. [11] Fraser, i. 223-225. Wood has February. [12] *Book of Glasgow Cathedral.* [13] *Edin. Com. Rec.*, 19 Nov. 1692.

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for which he had pardon 8 September 1571. On 4 March 1572 he was appointed Keeper of the fortalice of Lochwood, with the pertinents and lands in barony of Glasgow, and had a pass 23 April 1585 from James VI. to go to France for three years, 'having certain lefull effaires to do within the realm of France, and specialie for visiting of our traist cousing Robert, Lord Boyd.'[1] He was appointed tutor to his nephew Hugh, fifth Earl of Eglintoun, after the murder of his brother-in-law 18 April 1586.[2] He was one of the lesser Barons summoned to the Convention of Estates at Edinburgh 7 June 1605.[3] He died July 1611. His testament, which was made at his 'dwelling-house of Badenheath' 14 July 1611, was confirmed at Glasgow 4 May following.[4] He directs his 'body to be buried in his predecessor's aisle, at the Kirk of Leinze.' He married Margaret, Lady Badenheath, daughter of William, and sister and heiress of Robert Boyd, both of Badenheath.[5] She was alive April 1567 and dead by February 1572-73.[6]

3. *Margaret*, married (contract 7 December 1554[7]) to John Cuningham of Cuninghamhead. Her father and grandfather were both parties to the contract.
4. *Helen*. By a charter of Hugh Montgomerie of Hesilhead 10 January 1559-60, following on a contract between the said Hugh and Robert, Lord Boyd and Helen Boyd, his daughter, dated at Glasgow 27 December 1559, she had the ten-merk land of Lyandcorse, in the parish of Neilstoun, Renfrewshire, and the twenty-pound lands of Williyard, in the parish of Beith, 'in her pure, spotless, and inviolate virginity,' to hold all the days of her life.[8]
5. *Egidia* or *Giles*.[9] She was married, as first wife, to Hugh (Montgomerie), Master of Eglintoun, after-

[1] Paterson's *Ayr*, ii. 177. [2] See vol. iii. 443. [3] *Return of Members of Parliament*, ii. 547. [4] *Glasgow Com. Rec.* [5] *Reg. Mag. Sig.*, 19 Aug. 1618. [6] *Acts and Decreets*, xl. 65, xlviii. 240. [7] Originals in H. M. Reg. Ho. [8] Boyd Papers in Ayr Arch. Coll., iii. 184. [9] She is the daughter first named by Wood, but it seems probable that she was a younger daughter. She was a minor at the time of her marriage in 1576, while her sister Agnes was married in 1564.

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wards (3 June 1585) fourth Earl. The contract wherein she is called Gelis,[1] is dated at Edinburgh, Irvine, and Baidlay 13, 16, and 20 May 1576. They were both under age, the said Hugh being only fourteen, and provision was made for the management of their household and income until he attained the age of seventeen in 1580. She had issue, and died after 1583, and before March 1586.[2]

6. *Agnes*, married, as second wife, to Sir John Colquhoun of Luss, who can have been a widower only a month or two at most. Being related within the forbidden degrees, a dispensation was granted by John Hamilton, Archbishop of St. Andrews, the Papal Legate, 3 November 1564.[3] He died January 1574-75.[4] She died at Edinburgh 18 July 1584.[5] Her testament-dative and inventar of goods was given up by her son, Sir Humphrey Colquhoun, and confirmed 18 April 1588.[6]
7. *Christian*, married (contract 9 January 1570-71[7]) to Sir James Hamilton of Evandale and Libbertoun, son and heir of James Hamilton of Crawfurdjohn, and had issue.
8. *Elizabeth*, married, before 6 February 1575-76,[8] to Sir John Cunningham of Drumquhassill, a widower, with issue, who was dead before 5 June 1590.[9]

He had besides a natural son.

9. *Colonel David Boyd* of Tourgill. He had letters of legitimation under the Great Seal 11 July 1582,[10] and a grant of the lands of Tourgill 8 August 1598.[11] David Boyd of Tourgill, Provost, appears as a witness at Edinburgh 6 November 1613.[12] He married Margaret Wallace, Lady Hayning, a widow.

VI. Thomas, sixth Lord Boyd, eldest son of the last. He joined with his father in the association on behalf of Queen Mary at Hamilton 8 May 1568, and fought on

[1] Boyd Papers, iii. 199. [2] See vol. iii. 443. [3] Fraser's *Chiefs of Colquhoun*, i. 123. [4] *Ibid.* [5] *Ibid.*, 136. [6] *Glasgow Com. Rec.* The text is printed in full by Fraser, ii. 346-363. [7] *Gen. Reg. Inhibitions*, xxii. 68. [8] *Ibid.* [9] Fraser's *Elphinstone Book*, ii. 119. [10] *Reg. Mag. Sig.* [11] *Ibid.* [12] *Ibid.*, 16 March 1624.

her behalf at Langside 13 May following. On 14 July 1579, being 'vext with ane vehement dolour in his heid, and other diseases in his body,' he had leave to travel in France, Flanders, Wall of the Spa, etc., for three years.[1] In 1583 he had another licence to repair to foreign parts for 'doing of his lefull erandis.'[2] He was with his father in the Raid of Ruthven, and after the counter-revolution was at Stirling with other of the rebel Lords, which place he was called upon to deliver up,[3] and to enter into ward at Aberdeen, on pain of being charged with high treason, 10 May 1584.[4] He surrendered himself at Glasgow the following day, and entered himself at Aberdeen 31 May.[5] He had licence from the King 'to go furth of his present ward' 16 July 1585.[6] He succeeded his father 3 January 1589, and was served heir to him 20 March following.[7] One of the Commissioners for putting in force the laws against the Jesuits 6 March 1589-90.[8] The following year he was again in rebellion, being put to the horn and denounced as a rebel in August,[9] and charged to keep the peace and find caution in ten thousand merks 22 December 1591.[10] He had sasine of the lands of Knockindon and Hairschaw 1590,[11] and a charter from Robert Cunningham of Netherton of the lands of Overtoun,[12] and on 17 December 1591 he resigned his whole estate into the hands of the King, from whom, on 12 January 1591-92 he obtained a new charter thereof, 'erecting the same into a free lordship and barony, to be called the lordship and barony of Kilmarnock,' to himself for life and his son in fee, with a long remainder to heirs-male to the exclusion of heirs-general,[13] whereby he not improbably became LORD BOYD OF KILMARNOCK.[14] By this same charter, which was confirmed by Parliament 5 June following, the town of Kilmarnock was erected into a free burgh of barony with a weekly market on Saturday, and an annual fair on 20 October. He had previously, 8 March 1595-96, had a charter under the Great Seal of the lands of Bedlay.[15] He was a

[1] Paterson's *Ayr*, ii. 177. [2] *Ibid.*, 178, quoting Boyd Charter-chest. [3] *P. C. Reg.*, 21 April 1584, iii. 657. [4] *Ibid.*, 662. [5] Paterson's *Ayr*, ii. 178. [6] *Ibid.* [7] *Ibid.* [8] *P. C. Reg.*, iv. 465. [9] *Ibid.*, 670. [10] *Ibid.*, 704. [11] Paterson's *Ayr*, ii. 178, quoting Boyd Charter-chest. [12] *Ibid.* [13] *Reg. Mag. Sig.* [14] *Complete Peerage*, i. 400. [15] *Reg. Mag. Sig.*

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Privy Councillor before 11 July 1592.[1] He disponed the five-pound land of Corsbie to Mr. William Wallace, Minister of Failfuird, upon a back bond for 1720 merks 18 August 1597.[2] In 1599 he had a charter of Auchans,[3] and by a contract dated at Edinburgh 12 July 1603 the lands of Bogside were wadsett to him by James Mowat of Busbie, redeemable on payment of eight hundred pounds.[4] On 12 October 1597 he petitioned to be exempted from attending the King at Dumfries on the 20th of that month, having after the marriage of the late Robert, Master of Boyd, his son, demitted in his person the whole lordships and living of Kilmarnock, 'sua that persentlie he hes nathing haldin of his Heynes,' 'bot being a privat man,' which permission the King and Council, understanding the 'haill premissis to be of veritie,' grant and ordain the tutors and wardatars of his 'oy' to supply his place.[5] He was an arbiter in the feud between the Earl of Mar and Alexander Colquhoun of Luss, 23 June 1607,[6] and a J.P. for Ayrshire and the bailieries of Kyle, Carrick, and Cunningham 6 November 1610. That he continued to be subject to ill-health is amply evinced by the Boyd papers. In 1595 he had a pass to go abroad for 'remedie of his diseises' for five years,[7] another dated Holyrood House 1 March 1600,[8] and a third, to repair to England or any other place, dated at Whitehall 28 March.[9] He had licence, 18 December 1600, to stay at home from the wars and board himself where he pleased.[10] On 13 May 1611, a few weeks before his death, he was put to the horn at the instance of Mr. John Bell, minister of Calder, for non-payment of teinds.[11] He died the following June. Douglas[12] says that he married Margaret, second daughter of Sir Matthew Campbell of Loudoun, and a Margaret Campbell occurs as his wife 1568.[13] He would appear to have had two other wives, however, for Jane, youngest daughter of William Stockdale of Green Hamerton (living 1586), by his second wife Dorothy, daughter of Thomas Mill, is given in Dugdale's *Visitation of Yorkshire* (1665), as 'wife of ye Lord Boid of Scotland,'[14] which can only refer to him, and in 1622 Elphingstone of Woodside obtained a

[1] *P. C. Reg.*, iv. 767. [2] Paterson's *Ayr*, ii. 178, quoting Boyd Charter-chest. [3] *Ibid.* [4] *Ibid.* [5] *P. C. Reg.*, v. 419. [6] *Ibid.*, vii. 397. [7] Boyd Charter-chest. [8] *Ibid.* [9] *Ibid.* [10] *Ibid.* [11] *Ibid.* [12] *Peerage.* [13] *Ex inform.* the Hon. Vicary Gibbs. [14] See *The Genealogist*, N. S., xiv. 59.

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decreet against Elizabeth Wallace, relict of the late Thomas, Lord Boyd.[1] He had issue:—

1. ROBERT, Master of Boyd.
2. *Sir Thomas* of Bedlay. He is mentioned 5 January 1600 as being a rebel, and having been put to the horn,[2] and on 14 October 1608 he is denounced with others for not paying an annualrent of 250 merks 'for the term of Whitsunday 1605, and for all years resting owing,' and not appearing to answer, the Privy Council order his apprehension.[3] He had a charter from John Boyd of Bolinshaw, 12 February 1605, of the lands of Bolinshaw in fulfilment of his marriage-contract with Grizel Cunninghame, which lands he sold to David Cunningham of Auchenharvie, afterwards Baronet, 30 November 1633, having been knighted before 17 October 1623.[4] He married (contract dated 22 October 1603[5]) Grizel Cunningham, daughter[6] of Jean Blair, Lady Montgrenan. They were both alive in 1634, but had apparently no issue then living.
3. *Adam.* He is the subject of several complaints before the Privy Council. In April 1599 he set upon and wounded Colonel David Boyd of Tourgill in the High Street of Glasgow, and on 31 July in the same year attempted to murder him at Kilmarnock, for which he was denounced as a rebel 6 September 1599.[7] His sister-in-law, Jean Ker, Mistress of Boyd, also makes complaint about the July incident.[8] There are many similar charges against him in the records of the Privy Council. He is said to have married Marion (not Margaret), sister to Robert Galbraith of Kilcroich.[9] He had the forty-shilling land of the Nethermains from his father.[10]
4. *John.* He had the five-merk land of Whiteside, in the parish of Largs and bailiary of Cunningham, from his father.[11] 'Johnne Boyd, son to my Lord Boyd,' is mentioned in the testament, confirmed at Glasgow 10 December 1641, of Marion Sellar, spouse to Robert Broune, merchant in Kilmarnock.[12]

[1] Paterson's *Ayr*, ii. 178. [2] *P. C. Reg.* [3] *Ibid.* [4] *Reg. Mag. Sig.*, confirmed 26 July 1634. [5] Boyd Charter-chest. [6] Paterson's *Ayr*, ii. 178. [7] *P. C. Reg.*, vi. 25. [8] *Ibid.*, 26, 427, 773. [9] Paterson's *Ayr*, ii. 178. [10] *Ibid.* [11] *Ibid.* [12] *Glasgow Com. Rec.*

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5. *James.* He was living 28 August 1628, when the following entry occurs in the inventory attached to his brother Lord Boyd's testament: 'Item, to James Boyd, the defunctis brother, for his dewtie, thrie hundrith and xxxiij lib vjs. viijd.'[1]
6. *Marion*, married to James (Hamilton), first Earl of Abercorn, who died at Monkton 23 March 1618. She survived him, and was a very active Catholic, being in consequence continually in trouble with the Privy Council. On 20 January 1628 she was excommunicated in the Kirk of Paisley for her contumacy.[2] She died in the Canongate, Edinburgh, 26 August 1632, and was buried beside her husband in the Abbey church at Paisley 13 September following.[3]
7. *Isabel*, married, first (contract dated 5 July 1589[4]), to John Blair, younger of that Ilk, who died *v. p.* January 1604.[5] She married, secondly, before 1613, Sir Dougal Campbell of Auchinbreck,[6] and was still alive in November 1641, when Francis Hamilton of Silvertonhill petitioned Parliament against the incantations and witchcraft practised against him by Dame Isabel Boyd in the years 1607 and 1608, 'then relict of the late John Blair of that Ilk, and now relict of the late Sir Donald Campbell of Auchinbreck.[7]
8. *Agnes*, married (contract 9 July 1600) to Sir George Elphinstone of Blytheswood, Provost of Glasgow.

Lord Boyd had also a natural son,

Mr. Andrew Boyd, M.A., laureated at Glasgow University 1584, and presented by Hugh, Earl of Eglintoun, to Egleshame 1589. On 11 January 1591-92 his father subscribed a bond of caution for him and others in 500 merks each that George Cunyngham 'in the Rawis of Grugair' should be harmless of them.[8] Appointed by the Presbytery 'to mak residence' 24 August 1596. A member of the General Assemblies 1602, 1608, and 1610, in the first of which he was appointed one of the Commissioners for visiting

[1] *Glasgow Com. Rec.* [2] *P. C. Reg.*, N. S., iii. 109. [3] Cf. vol. i. 47. [4] *Reg. Mag. Sig.*, 2 February 1598-99. [5] *Glasgow Com. Rec.* [6] *Reg. of Deeds*, cclxxxii. 258. [7] *Supplementary Parliamentary Papers*, ii. No. 131. [8] *P. C. Reg.*, iv. 716.

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Argyll. Being diseased, he craved licence from the Presbytery, 9 March 1608, to pass into England, which was granted. He was appointed Bishop of Lismore or Argyll 4 March 1613.[1] He died 21 December 1636, aged seventy-one[2] or eighty,[3] and was buried at Dunoon. He married Elizabeth, daughter of Adam Conyngham, who was living in 1618,[4] and had issue.

ROBERT, Master of Boyd, occurs as eldest son and heir-apparent of the last 12 January 1591-92.[5] He died *v. p.* May 1597, having married (contract dated 30 September and . . . 1594[6]), Jean, daughter of Mark (Kerr), second Earl of Lothian. She was married, secondly, before 16 April 1610, to David, twelfth Earl of Crawford; and thirdly, before 16 February 1618, to Mr. Thomas Hamilton of Robertoun. By her the Master of Boyd had two sons:[7]—

1. ROBERT, who succeeded his grandfather as seventh Lord Boyd.
2. JAMES, ninth Lord Boyd, after his nephew.

VII. ROBERT, seventh[8] Lord Boyd, the elder son of the last, was born in November 1595. He was served heir-male in general to his father 3 February 1602, succeeded his grandfather June 1611, and 11 July following had licence from the King to go abroad with two servants for five years, on condition of his loyalty during his absence, and of his taking with him a pedagogue satisfactory to the Archbishop of Glasgow.[9] He went to Saumur, where he studied under his cousin, Robert Boyd of Trochrig, and returned to Scotland before 6 October 1614, when King James granted a dispensation in favour of Robert, now Lord Boyd, to be served heir to his father, despite his minority, in the lands, lordship, and barony of Kilmarnock, and all the other lands and baronies within the bailiary of Cunningham and sheriffdom of Ayr,[10] and he was served heir accordingly 12 October following.[11] He was also

[1] Keith. [2] Scott's *Fasti*, iii. 445. [3] Paterson's *Ayr*, i. 421. [4] *Wishaw*, 119. [5] *Reg. Mag. Sig.* [6] *Ibid.*, 19 February 1618. [7] *P. C. Reg.*, v. 418. [8] See p. 155, *note* 2. [9] *P. C. Reg.*, ix. 216. [10] *Ibid.*, x. 275. [11] *Retours*, *Ayr*, 127.

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served heir of Thomas, Lord Boyd, his grandfather, in all his lands in the counties of Ayr, Dumbarton, Lanark, and Stirling, 20 March 1617,[1] and of James, Lord Boyd, the son of the uncle of Robert, Lord Boyd, his great-grandfather's father, 1 October 1618.[2] He had charters of the barony of Grugar, in Ayrshire, 30 March 1616,[3] with confirmation under the Great Seal 3 August 1619;[4] of Medros, formerly belonging to Robert Boyd of Badenheath, 6 October 1619,[5] and of Gawan and Risk, in Renfrewshire, 9 June 1620.[6] He had, further, a tack of the teind sheaves of the parsonage of Kilmarnock from the Abbot of Kilwinning, 27 June 1619;[7] a disposition of the lands of Menfurd 27 July, the same year.[8] On 29 March 1621 he resigned the lordship of Kilmarnock, and had a new charter under the Great Seal to himself in life-rent, and to Robert, Master of Boyd, his son, in fee,[9] and, 17 March 1624, a regrant of the barony of Medros on resignation.[10] He was one of the assessors to the Provost and Bailies of Glasgow at the trial of the Jesuit, Mr. John Ogilvie, who was hanged at Glasgow the same day, 28 February 1615.[11] J.P. for Ayrshire, 26 August 1616.[12] He took his seat in the Parliament which assembled at the Tolbooth of Edinburgh, Tuesday, 17 June 1617,[13] and was present at the General Assembly at Perth, 25 August 1618, which passed the last of the famous 'Five Articles' for the complete assimilation of the Churches of Scotland and England.[14] He was one of the Commission named to try Christian Graham of Glasgow for witchcraft, sorcery, etc. 10 October 1619,[15] and for finding out Catholics 25 October 1626.[16] He was also appointed Commissioner of the Port of Portincross to regulate the transport of goods between Scotland and Ireland 13 July 1624.[17] In 1626 he appears to have had a quarrel with Lord Semple, as on the 23 August they are put under caution to keep the peace.[18] He signed the submission of the King anent teinds[19] 23 February 1628, and died 28 August following. His will, dated at Edinburgh 17 October 1623, was confirmed at Glasgow 7 May 1632.[20]

[1] *Retours, Ayr*, 160. [2] *Ibid.*, 177. [3] *Reg. Mag. Sig.* [4] *Ibid.* [5] *Ibid.* [6] *Ibid.* [7] Boyd Charters. [8] *Ibid.* [9] *Reg. Mag. Sig.*, vii. No. 713. [10] *Ibid.* [11] *P. C. Reg.*, x. 304. [12] *Ibid.*, 619. [13] *Ibid.*, xi. 156 *n.* [14] *Ibid.*, 431. [15] *Ibid.*, xii. 580. [16] *Reg. Mag. Sig.* [17] *P. C. Reg.*, xiii. 553. [18] *Ibid.*, 2nd Ser., i. 394. [19] *Acta Parl. Scot.*, v. 192. [20] *Glasgow Com. Rec.*

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He married, first (contract dated October 1614), Margaret, widow of Hugh (Montgomerie), fifth Earl of Eglinton, eldest of the three daughters, and after 1613 sole heir of Robert Montgomerie of Giffen, sometime *styled* Master of Eglinton. On 22 June 1614 he writes from London to his cousin, Robert Boyd of Trochrig, then on the Continent, 'Sir George [Elphinstone] and Sir Thomas have told me their commission, which is marriage with the Earl of Eglintoun, his wife [? widow], and has shoun me many good reasons.'[1] She died, without issue by either husband, in 1615 or 1616.[2] He married, secondly (contract dated 9 December 1617[3]), Christian, widow (with issue) of Robert (Lindsay), tenth Lord Lindsay of the Byres (who died 9 July 1616), eldest daughter of Thomas (Hamilton), first Earl of Haddington. She was an ardent Presbyterian, and brought her children up as such.[4] Mr. John Livingstone, in his autobiography,[5] speaks of residing for some time during the course of his ministry in the house of Kilmarnock 'with worthy Lady Boyd,' and mentions her as one of the four ladies of rank from whom he got on several occasions supplies of money. Many of Rutherford's letters are addressed to her. She, who must have been born between 1588 and 1594,[6] died 'very comfortably' at the house of her daughter, Lady Ardross, in the parish of Ellie, and was buried 6 February 1646, the members of the Parliament which had been sitting at St. Andrews attending her funeral.[7] They had issue one son and six daughters, who on the death of their brother became co-heirs of their father. They were:—

1. ROBERT, who succeeded as eighth Lord Boyd.
2. *Helen.* She died, unmarried, before 17 April 1647, when her five surviving sisters were served heirs-portioners to her.[8]
3. *Agnes*, married, before 17 April 1647,[9] to Sir George

[1] Wodrow's *Life of Robert Boyd of Trochrig*, printed by the Maitland Club, 114. [2] *Memorials of the Montgomeries*, i. 46, 47. [3] *Reg. Mag. Sig.*, 11 December 1617. [4] See a memoir of her in Anderson's *Ladies of the Covenant*, 1851, pp. 13-30. [5] *Select Biographies*, printed for the Wodrow Society, i. 148. [6] See vol. iv. 313. [7] Diary of Mr. Robert Traill, minister of Elie, in MS. Letters to Wodrow, xix. No. 68, Advocates' Library. [8] *Retours Gen.*, 3267. [9] *Ibid.*

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Morison of Dairsie, in Fifeshire. They had a charter under the Great Seal 16 August 1647.

4. *Jean*, married to Sir Alexander Morison of Prestongrange. She had a charter as his future spouse 11 July 1637.[1]
5. *Marion*, married (contract signed at Edinburgh 12 November 1641[2]), as the first of his three wives, to Sir James Dundas, second of Arniston, a Lord of Session, 1662-65.[3]
6. *Isabel*, married, first (contract dated *circa* 29 May 1638[4]), to John Sinclair, younger of Stevenston, son and heir of Sir John Sinclair, first Baronet (1635). He died *v.p.* 1643, leaving issue.[5] She married, secondly (contract 10 October 1646[6]), Sir John Grier (Grierson) of Lag.
7. *Christian*, married (contract dated 26 October 1641[7]) to Sir William Scott of Ardross, and had issue two sons, who died *s.p.*, and two daughters. She, like her mother, was a strong Presbyterian, and having declined to attend the curate, her husband was fined £1500 by the Privy Council in November 1683, and imprisoned in Edinburgh Castle until he paid. He desired the Privy Council to relieve him of responsibility for his wife's delinquencies in future, as she would on no consideration engage to hear the curate, but they declined, holding husbands were to be accounted masters of their wives. She then retired to England, and died at Newcastle.[8]

VIII. Robert, eighth[9] Lord Boyd, was born probably in 1618, and succeeded his father August 1626, being served heir to him 9 May 1629.[10] He was made J.P. for Cuningham 25 November 1634.[11] Lord Boyd was one of those noblemen who on 22 February 1638 ascended the Cross of Edinburgh to protest against the proclamation which was that day made, containing the royal approbation of the service-book;[12] subscribed the National Covenant, when

[1] *Gen. Reg. Sas.*, xlvi. 245. [2] Omond's *Arniston Memoirs*, 17, 38. [3] *Ibid.* [4] *Reg. Mag. Sig.*, 14 July 1638. [5] *Complete Baronetage.* [6] *Gen. Reg. Sas.*, x. 224. [7] *Reg. Mag. Sig.*, 5 March 1642. [8] Wodrow mss., xl. folio No. 3. [9] See p. 155, *note* 2. [10] *Retours, Ayr*, 256. [11] *P.C. Reg.*, iv. 427. [12] Rothe's *Relation*, etc., 67.

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renewed March following, in the Greyfriars churchyard, and actively co-operated with the Covenanters in their opposition to the King. He was present in Parliament 31 August 1639[1] and 2 June 1640.[2] He married (contract dated 10 September 1639[3]) Anne, second daughter of John (Fleming), second Earl of Wigtoun, and died *s.p.* of a fever 17 November 1640, aged about twenty-two.[4] His will was confirmed at Glasgow 17 December 1641.[5] His widow married, secondly (contract dated 10 December 1644), George (Ramsay), second Earl of Dalhousie, who died 11 February 1674, leaving issue.[6] She died 20 April 1661.[7] Two letters of comfort which were addressed by Mr. Zachary Boyd, minister of Glasgow, the translator of the Bible into verse, to Lord Boyd's mother and widow respectively, were printed at Edinburgh 1878.

IX. James, ninth Lord Boyd, uncle of the preceding, was born *circa* 1600, succeeded his nephew 17 November 1640, being served heir to him 10 April following,[8] and obtained from Parliament a confirmation of his right to the patronage of both the old and the new kirks at Kilmarnock 9 October 1641.[9] He was a steady Royalist, joined the Association at Cumbernauld in favour of Charles I. January 1641, was one of the Committee of War for the South 16 April 1644,[10] and for Ayr 24 July[11] 1644, and 18 April 1648.[12] He was included in the list of the nobility to be summoned to the Committee of Estates, in Cromwell's letter to Lieutenant-General David Leslie 17 January 1650,[13] and was fined £1500 under the so-called Act of Grace and Pardon 12 April 1654,[14] a sum afterwards, 9 March 1655, reduced to £500.[15] His steady support of the royal cause appears to have embarrassed him considerably, as he was obliged to wadset several portions of his estate to Sir William Cochrane of Cowdoun.[16] He is said to have paid great attention to the trade of Kilmarnock, and to have established a school in the town for 'the educatioune and learning off zoung

[1] *Acta Parl. Scot.*, v. 251. [2] *Ibid.*, 258. [3] *Reg. Mag. Sig.*, 17 September 1641. [4] Wood has 'twenty-four,' but his parents were not married before December 1617. [5] *Glasgow Com. Rec.*, 9 March 1642. [6] See vol. iii. p. 100. [7] Lamont's *Diary*. [8] *Retours, Ayr*, 355. [9] *Acta Parl. Scot.*, v. 370. [10] *Ibid.*, vi. pt. i. 91. [11] *Ibid.*, 202. [12] *Ibid.*, vi. pt. ii. 34. [13] *Ibid.*, 587. [14] *Ibid.*, 820. [15] *Ibid.*, 846. [16] Boyd Charter-chest.

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ones.[1] His will was confirmed at Edinburgh 23 October 1655, and he appears to have died in March 1654.[2] He married, before 1640,[3] Catherine, second daughter and co-heir of John Crayke of the city of York, the eldest, but disinherited, son of Ralph Crayke of Marton, co. York. She was baptized at Bridlington 3 January 1618-19.[4] In commemoration of this marriage the words 'James Boyd and Catherine Craik,' with the family arms, were sculptured on one of the towers of Dean Castle, the family seat at Kilmarnock.[5] They had issue:—

1. WILLIAM, Master of Boyd, afterwards first Earl of Kilmarnock, his successor.
2. *Margaret.*
3. *Eva*, both styled daughters lawful to the deceased James, Lord Boyd, 24 March 1659.[6]
4. *Jean*, married[7] to Sir David Cunningham of Robertland, Baronet. Dame Jean Boyd, Lady Robertland, died 8th May 1665.[8]

X. WILLIAM, tenth Lord Boyd, only son and heir of the above, whom he succeeded March 1654, being served heir 28 February 1655.[9] On the 7 August 1661 he was, by King Charles II., created EARL OF KILMARNOCK, with remainder to his heirs-male for ever. A Commissioner of Excise for Ayrshire for raising the £40,000 granted to his Majesty March 1661.[10] J.P. for Lanark and Ayr 9 October 1663,[11] and a Commissioner of Supply for Ayr 23 January 1667, 10 July 1678, and 7 June 1690,[12] and for Dumbarton 10 July 1678.[13] On 6 July 1670 he disposed of the lands of Hairschaw to John Boyd, merchant, Dean of Guild of Edinburgh,[14] and had a disposition of the forty-shilling land of old extent of the kirkland of Kilmarnock, with the glebe thereof, from John Hamilton of Grange, 22 June 1677.[15] Master of the King's Game for Ayr 30 May 1685.[16] He had, 30 July 1672, a new charter of the barony of Kilmarnock, con-

[1] Paterson's *Ayr*, ii. 180. [2] *Edin. Com. Rec.* [3] *Ex inform.* the Hon. Vicary Gibbs. [4] *Ibid.* [5] M'Kay's *History of Kilmarnock*, 13. [6] *Glasgow Com. Decreets.* [7] *Complete Baronetage*, ii. 384, where she is called Eva. [8] Funeral entry in Lyon Office. [9] *Retours*, *Ayr*, 473. [10] *Acta Parl. Scot.*, vii. 92. [11] *Ibid.*, 506. [12] *Ibid.*, 544; viii. 225; ix. 140. [13] *Ibid.*, viii. 225. [14] Paterson's *Ayr*, ii. [15] *Ibid.* [16] *Acta Parl. Scot.*, viii. 476.

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firming that granted to his father.[1] He did not attend the Convention Parliament of 1689, being excused attendance 9 July.[2] He died in March 1692. He married at Edinburgh, 25 April 1661, Jean, eldest daughter of William (Cunningham), ninth Earl of Glencairn, Lord High Chancellor, at whose house 'the marriage feest stood.'[3] They had issue:—

1. William, Lord Boyd, who succeeded as second Earl.
2. *James*, a captain in Sir Charles Graham's Regiment of Foot in the Scots Dutch Brigade in 1692.[4]
3. *Charles*, appointed ensign in Sir Charles Graham's Regiment of Foot in the Scots Dutch Brigade 1 August 1693, and captain in the same regiment, then commanded by Colonel Walter Philip Colyear, 12 January 1711.[5] He died at Namur October 1737.[6]
4. *Robert*. He is claimed as an ancestor by several families, but nothing appears to be known about him. According to one account he was born in Kilmarnock August 1689, baptized there 24 October following, and died November 1762, having married there, 25 October 1714, Margaret Thomson, by whom he had eleven children, one of whom, the fourth son, William, is said to have gone to Buchan with James, Lord Boyd, after he succeeded (1758) to the earldom of Erroll, and to have settled as a manufacturer in Turriff, Aberdeenshire. This latter statement is borne out by the registers, as his fourth child, Erroll, is baptized at Kilmarnock 15 September 1761, and the fifth, Janet, at Turriff 3 June 1763. The Kilmarnock registers, however, contain no entry of the birth or baptism of a Robert Boyd in 1689, and the Robert who was married in 1714 is described as a 'glover in Kilmarnock,' and no reference is made to his being an Honourable or the son of the Earl.
5. *Alexander*.[7]
6. *Mary*, said to have been married to Sir Alexander Maclean.[8]

[1] *Acta Parl. Scot.*, viii. 120. [2] *Ibid.*, ix. 102. [3] Lamont's *Diary*, 169. [4] The war services of the above officers cannot be traced with any certainty, but they doubtless served with their regiments in some of William II.'s (III.) and Marlborough's campaigns in Flanders; *ex inform.* Charles Dalton, Esq. [5] *Ibid.* [6] *Hist. Reg. Chron.*, 22. [7] *P. C. Decreta*, 4 Aug. 1692. [8] Wood.

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7. *Catherine*, married to Alexander Porterfield of Porterfield, co. Renfrew,[1] a Commissioner for Renfrew,[2] by whom she had issue. He died before 14 November 1743, when his testament was confirmed at Glasgow.[3]
8. *Margaret*.[4]

XI. WILLIAM, second Earl of Kilmarnock, was born probably about 1663-64. Styled Lord Boyd during his father's lifetime, a Commissioner of Supply for the shires of Ayr and Dumbarton 13 May 1685,[5] 28 May 1686,[6] 27 April 1689,[7] and 7 June 1690.[8] He succeeded his father, March 1692, but only survived him two months, dying 20 May following, aged about twenty-nine. He married, July 1682,[9] Letitia or Lettice, youngest daughter, and (either herself or in her issue [10]) eventually sole heiress of Thomas Boyd of Dublin, merchant, by his wife Mary, fourth daughter of Sir Adam Loftus of Rathfarnham. She married, secondly, John Gardiner, by whom she had an only daughter, Charlotte.[11] They had issue:—

1. WILLIAM, Lord Boyd, who succeeded as third Earl.
2. *Robert*, born in Edinburgh 13 September 1689;[12] admitted a member of the Faculty of Advocates 30 December 1710,[13] or 2 January 1711;[14] married Eleanora, daughter and co-heir of Sir Thomas Nicolson of Kemnay, first Baronet, by his wife Margaret, daughter and eventual co-heir of Sir Thomas Nicolson of Carnock, second Baronet,[15] and died February 1716,[16] leaving issue:—

   (1) *Margaret*, who died, unmarried, in Edinburgh, 7 May 1781.[17]

   His widow married again, as second wife, John Craufurd of Craufurdland, who died (*s.p.* by her) at Newcastle 10 January 1763.[18] She served herself heir

[1] Wood. [2] Crawfurd's *Renfrew*, 32. [3] *Glasgow Com. Rec.* [4] *P. C. Decreta*, 4 August 1692. [5] *Acta Parl. Scot.*, viii. 465. [6] *Ibid.*, 588. [7] *Ibid.*, ix. 71. [8] *Ibid.*, 140. [9] Archdale's Lodge's *Peerage of Ireland*, 1789, vii. 262. [10] Her three brothers and two sisters all died unmarried, *ibid.* [11] Archdale's Lodge, vii. 262. [12] Wood. [13] Advocates' Register. [14] Books of Sederunt. [15] All previous accounts make her daughter [instead of granddaughter] of Sir Thomas Nicolson of Carnock. [16] Lyon Office Records. The Advocates' Register says died before 1756. [17] *Scots Mag.*, xliii. 279; *London Mag.*, 247. [18] Paterson's *Ayr*, ii. 199.

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to her father, Sir Thomas Nicolson of Kemnay, 6 March 1730.[1]

3. *Mary*, died unmarried.[2]

XII. WILLIAM, third Earl of Kilmarnock, eldest son and heir of the last, was born in 1683 or 1684,[3] succeeded his father 25 May 1692, and was served heir to him 20 July 1699.[4] A Commissioner of Supply for Dumfries 25 September 1696,[5] and for Ayr 5 August 1704.[6] He had a ratification of his privilege of market at Kilmarnock, with leave to exact a duty of four shillings per sack of meal or grain brought to Kilmarnock in return for having built a market there, 1701.[7] He took the oaths and his seat in Parliament 6 July 1705,[8] and was a steady supporter of the Union with England, for which he voted 16 January 1707.[9] He had, 22 January following, a new charter under the Great Seal of the earldom, with remainder to the heirs-male of his body, whom failing, to his daughters in succession, and the heirs-male of their bodies, etc., with a final remainder to his nearest legitimate heirs and assignees whatsoever. This was ratified by Parliament 21 March the same year.[10] When the rising of 1715 in favour of King James VIII. took place, he, forsaking the traditions of his house, exhibited great zeal on behalf of the existing Government, and appeared at the general rendezvous at Irvine 22 August at the head of 500 of his own men, well armed and drilled.[11] With these he was sent by the Duke of Argyll to garrison the houses of Gartartan, Drummakill, and Cardross, in order to prevent Lord Mar's forces crossing the Forth, which having effected, 3 October, he returned to Glasgow, 21 November, when his men were dismissed. He died September,[12] or 22 November,[13] 1717, aged about thirty-four. His will was confirmed at Glasgow 13 March 1718.[14] He married, about 1700,[15] Euphemia, daughter of William (Ross), Lord Ross. She married, secondly, John

[1] Service of Heirs. This establishes her parentage, which in the Advocates' Register was incorrectly given. [2] Archdale's Lodge, vii. 262. [3] His parents were married July 1682, and he took his seat in Parliament July 1705. [4] *Retours, Ayr*, 698. [5] *Acta Parl. Scot.*, x. 29. [6] *Ibid.*, xi. 142. [7] *Ibid.*, x. 294. [8] *Ibid.* [9] *Ibid.*, xi. 404. [10] *Ibid.*, 468. [11] Rae's *Hist.*, 182. [12] Wood, *Complete Peerage*, etc. [13] Archdale's Lodge. [14] *Glasgow Com. Rec.* [15] *Complete Peerage.*

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Murray, who survived her, and died at Whitehouse *s.p.* October 1748. She died before 19 July 1729, when her administration was granted.[1] He had issue an only son,

1. WILLIAM, Lord Boyd, who succeeded as fourth Earl.

XIII. WILLIAM, fourth Earl of Kilmarnock, only son of the preceding, was born on Saturday 12 May 1705, 'about eleven of the clock at night,' and was baptized at Kilmarnock on Thursday, 24 May following,[2] was educated at Glasgow,[3] and accompanied his father though but ten years of age when he marched to oppose Lord Mar in 1715.[4] He succeeded to the earldom in the latter part of 1717, and during the earlier part of his life continued, in accordance with his father's principles, to support the House of Hanover. On the death of George I., 12 June 1727, he sent an order to the authorities of Kilmarnock to hold 'the train bands in readiness for proclaiming the Prince of Wales,' but after the battle of Gladsmuir, 21 September 1745, he joined Prince Charles, by whom he was received with great marks of distinction and esteem. He was made a Privy Councillor, Colonel of the Guards, and subsequently a General. He accompanied the Prince in his march to Derby, and took a leading part in the battle of Falkirk, 17 January 1746. He was present at the battle of Culloden, 16 April, being taken prisoner there in consequence of a mistake he made in supposing a troop of English to be a body of FitzJames's horse.[5] He was sent to London, and with Lords Cromartie and Balmerino was lodged in the Tower. They were brought for trial before the House of Lords on Monday, 28 July.[6] The court was presided over by Lord Hardwicke as Lord High Steward, whose conduct on that occasion was strangely wanting in judicial impartiality.[7] Kilmarnock and Cromartie both pleaded guilty, but notwithstanding an eloquent speech from the former they were, on the 1 August, convicted of high treason and condemned to death. Lord Leicester, remembering that the ministry had lately given the paymastership of the army

[1] *Complete Peerage.* [2] Kilmarnock Register. [3] *Observations and Remarks on the Behaviour of William Boyd, Earl of Kilmarnock*, 1746. [4] Rae. [5] T. Ford's *Account of the Behaviour of William Boyd, Earl of Kilmarnock*, 1746. [6] *History of the Rebellion*, etc., 217. [7] Walpole's *Letters*, ed. Cunninghame.

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to Pitt, out of fear of his abusive eloquence, is stated to have gone up to the Duke of Newcastle, and said, 'I never heard so great an orator as Lord Kilmarnock. If I were your Grace, I would pardon him and make him your paymaster.'[1] The reasons which induced Lord Kilmarnock to take part in the attempted restoration of the House of Stuart are not known. By some it was said to have been the influence of his wife, whose father, the Earl of Linlithgow and Callendar, had been attainted for his share in the ''15,' but this was strenuously denied by the Earl himself. Smollett says he 'engaged in the rebellion partly through the desperate situation of his fortune and partly through resentment to the Government on his being deprived of a pension which he had for some time enjoyed.' This opinion is supported by Horace Walpole, who states that the pension was obtained by his father (Sir Robert Walpole), and stopped by Lord Wilmington. In his own confession to Mr. James Foster, a Presbyterian minister who attended him before his execution, his lordship says 'the true root of all was his careless and dissolute life, by which he had reduced himself to great and perplexing difficulties.'[2] On the other hand all Lady Kilmarnock's sympathies were undoubtedly with the exiled family, and the mere fact of his having married her, a Catholic, and the heiress of one who had suffered for his attachment to the Stuarts, speaks for itself. Charles slept at Callendar House on the night of Saturday, 14 September, on his march to Edinburgh, and though Kilmarnock made a point of dining with Gardiner's Dragoons, he hurried back in time to sup with the Prince, and it was probably then that he determined to throw in his lot with the heir of his native and hereditary sovereigns. After his conviction he addressed petitions to King George, the Prince of Wales, and the Duke of Cumberland, but these were unsuccessful, principally on account of the Duke of Cumberland professing to believe that he was responsible for the order alleged to have been given before the battle of Culloden, that no quarter was to be given to the English. He was beheaded on Tower Hill in company with Lord Balmerino on Monday, 18 August, in his forty-first year, when, having been attainted, all his honours were forfeited. His

[1] Doran's *London in Jacobite Times*, ii. 200. [2] Ford's *Account*, etc.

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body was buried in St. Peter's ad Vincula, in the Tower, the coffin having the following inscription, 'Gulielmus Comes de Kilmarnock decollat. 18 Augusti, 1746, ætat. suæ 42.' He is described as being 'tall and slender, with an extreme fine person,' and his behaviour at the execution was held to be 'a just mixture between dignity and submission.'[1] He married, 15 June 1724,[2] Anne, daughter and heir of James (Livingston), fifth Earl of Linlithgow and fourth Earl of Callendar, by his wife Margaret, younger daughter, but in her issue (19 August 1758) sole heir of John (Hay), twelfth Earl of Erroll and Hereditary Lord High Constable. She, who materially contributed to the success of her party at Falkirk, by detaining General Hawley at Callendar House on the eve of the battle, was born in January 1709, and baptized at Falkirk on the 18th of that month,[3] and died of grief at Kilmarnock, 16 September 1747, having survived her husband little more than a year. Her will, which contains nothing of any particular interest, was confirmed at Glasgow 5 March 1748.[4] They had issue:—

1. *William*, styled Lord Boyd, born and baptized at Falkirk, 16 March 1725;[5] died before 10 February 1728.
2. JAMES, styled Lord Boyd, of whom presently.
3. *Charles*, born and baptized at Falkirk, 10 February 1728;[6] though only seventeen, he joined Prince Charles with his father, and served at Culloden, 16 April 1746. After that defeat he fled to the Isle of Arran, and there remained in hiding for twelve months, occupying his time by the study of medicine;[7] escaping thence to the Continent, he married a French lady, whose name is not known, but by whom he had issue:—

   (1) *Charles*, presumably born in France, entered the British Army, 10 November 1773, as ensign 1st Battalion 1st Regiment of Foot, lieutenant same regiment 18 April 1776, captain 82nd Foot 6 January 1778, major 76th Foot 7 March 1784, major half-pay on the disbandment of the regiment 8 March following.[8] He married, in Edinburgh, 20 Novem-

[1] *Dict. Nat. Biog.* [2] *Ex inform.* the Hon. Vicary Gibbs. [3] Registers. [4] *Glas. Com. Rec.* [5] Falkirk Register. [6] *Ibid.* [7] *History of Ayr and Wigton*, by J. Paterson, Edin. 1866, iii. 421. [8] *War Office Records.*

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ber (not 24 December) 1784,[1] Elizabeth, daughter of John Halyburton of Princes Street, late merchant in Dunkirk.[2] She is said to have died in Edinburgh 3 September 1785,[3] leaving a son, but neither the wife's death nor the son's birth are to be found in the Edinburgh Registers. After his wife's death he returned to active service, being appointed major 20th Foot 9 December 1789.[4] He died at Up Park, Jamaica, 6 October 1792.[5] The son is said to have been

i. [*Charles*], born September 1785.

(2) *Charlotte*, born abroad, probably in France; married at Slains Castle, Thursday 22 April 1773, to Charles Edward Gordon, fourth of Wardhouse and Kildrummie, who died 23 December 1832.[6] She died at Gordon Hall, Aberdeenshire, Saturday 9 May 1778,[7] leaving issue.

Charles Boyd returned to Scotland about 1766 or 1767, and resided at Slains Castle in Aberdeenshire, with his brother. In 1773 Dr. Johnson and his friend Boswell, when on their tour to the Hebrides, spent some time with him and his brother, the Earl of Erroll, there. He died at Edinburgh 3 August 1782,[8] aged fifty-four. He married, secondly, Anne, sister of his brother's first wife, daughter of Alexander Lockhart of Covington, a Lord of Session, but had no further issue. His widow survived him, and as Mrs. Anne Lockhart *alias* Boyd, relict of the late Hon. Charles Boyd, etc., had sasine dated 23 May 1800,[9] proceeding on a conveyance to her by Maurice Murray, wright in Glasgow, dated 25 April previous, of a dwelling-house in Glasgow, on the east side of Miller Street, then an aristocratic quarter. She sold this house, 18 August 1801,[10] to Thomas Graham, writer, and removed to London, in consequence, it was said, of the young man, named Charles Boyd, who resided with her, having got a good situation there.[11] Mrs. Boyd 'always spoke of this person as her nephew, but it was surmised that it was her son.'[12] He was probably, however, her husband's grandson.

4. *William* Boyd, twin with his brother Charles, born and

[1] Edinburgh Register. [2] *Ibid.* [3] Wood. [4] *War Office Records.* [5] *Gent.'s Mag.*, 1152; *European Mag.*, 479. [6] Burke's *Landed Gentry*, 1906. [7] *Aberdeen Journal* of that date. [8] *Scots Mag.*, 447; *Gent.'s Mag.*, 406. [9] *Glasgow Sasines.* [10] Paterson's *Ayr and Wigton*, iii. 421. [11] *Ibid.* [12] *Ibid.*

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baptized at Falkirk 10 February 1728;[1] entered the Royal Navy, joining H.M.S. *Deptford* 26 April 1744, as one of the retinue of Commodore Curtis Barnet.[2] He was promoted A.B. 13 October 1744, and midshipman 25 September 1745. On 20 December 1745 Commodore Barnet shifted his flag to the *Harwich*, and Mr. Boyd was discharged to that ship on the same day, and appears to have remained in her until 31 December 1748, when he is marked as discharged with the word 'preferment' in the 'Remarks' column.[3] No further trace of him can be found, however, until 26 November 1755, when he was appointed ensign in the 8th Foot.[4] He was gazetted ensign 54th Foot the same day, lieutenant same regiment, afterwards the 52nd, 5 May 1756; captain 87th Foot 6 January 1760, and of the 114th Foot 17 October 1761. That regiment was disbanded in 1763, when he was placed on half-pay, and his name disappeared from the Army List of 1768.[5] He died unmarried December, apparently between the 27th and 30th, 1780, aged fifty-two.[6]

XIV. JAMES, styled Lord Boyd, and, but for the attainder of 1746, fifth Earl of Kilmarnock, eldest surviving son and heir of the preceding, was born at Falkirk 20, and baptized there 25, April 1726.[7] He had a commission in the 21st Foot, and was present on the Government side during the ''45.' After his father's execution he claimed the estates which had been disponed to him 10 August 1732, and he recovered them 28 March 1751. On 19 August 1758 he succeeded his great-aunt as fifteenth Earl of Erroll, when he took the name of Hay. He was great-great-grandfather of the twentieth and present Earl of Erroll, who, were the attainder removed, would be also tenth Earl of Kilmarnock and nineteenth Lord Boyd. On the 17 June 1831 the then Earl of Erroll was created a Peer of the United Kingdom as Baron Kilmarnock of Kilmarnock, and this title has since been used as the courtesy title of the eldest son. (*See title* Erroll, iii. 581, *et seq.*)

[1] Falkirk Register. [2] *Admiralty Records.* [3] *Ibid.* [4] *War Office Records.* [5] *Ibid.* [6] *Scots Mag.*, xcii. 674; *Gent.'s Mag.*, 45. [7] Falkirk Register.

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Creations.—Lord Boyd of Kilmarnock 1459, attainted 1469, restored 1482 and again 1546. Earl of Kilmarnock 7 August 1661.

Arms (recorded in Lyon Register).—Azure, a fess chequey argent and gules.

Crest.—A dexter hand erected in pale having two fingers turned in and the rest pointing upwards proper.

Supporters.—Two squirrels proper.

Motto.—*Confide.*

[R.]

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LIVINGSTON, VISCOUNT KILSYTH

THE lands of Kilsyth (Kelnasydhe in the oldest charter) appear to have formed part of the ancient earldom of Lennox. A carucate and a half of these lands, together with the patronage of the church of Moniabrochd formed part of the dowry of Eva, sister of Maldouen, Earl of Lennox, on her marriage to Malcolm, son of Duncan,[1] but there is no evidence that it was erected into a barony at that period. Through Alwin, Thane of Callendar, son of Eva, this part of Kilsyth was inherited by the family of Callendar (anciently Kalentyr or Calentar), but was forfeited by Sir Patrick Callendar owing to his adherence to the cause of Baliol. Christian, the daughter and heiress of Sir Patrick, became the wife of Sir William Livingston, who obtained from David II. a grant of the lands of Callendar,[2] and also, by a charter in favour of himself and his wife, the lands of Kilsyth. From this latter charter it would appear that the whole of these lands had previously been in the hands of the Callendars and had passed from them to Robert de Vall, whose daughter and heiress dying unmarried in England, they had fallen to the Crown. At the instance of Sir Robert Erskine, the King, remembering the connection of the Callendars with Kilsyth, and

[1] Fraser's *The Lennox*, i. 401. [2] Robertson's *Index*, 38, 25.

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considering that it would be only an act of justice to restore the lands of Christian de Callendar and her husband as the representatives of that family, this was done by the charter referred to, which is dated 13 October 1362.[1]

The founder of the family of Livingston of Kilsyth was

WILLIAM LIVINGSTON, a younger son of Sir John Livingston of Callendar, who fell at Homildon Hill (*see title* Linlithgow), by his second wife, Agnes, daughter of Sir James Douglas of Dalkeith. He got as his patrimony the lands of Wester Kilsyth, and from his maternal grandfather, Sir James Douglas, some lands near Dalkeith. He is also in his son's infeftment and other writs described as 'of Balcastell.'[2] He married Elizabeth, daughter and coheiress of William de Caldcotis, with whom he got the lands of Graden in Berwickshire. For this marriage a papal dispensation was obtained 10 November 1421, the parties being within the third degree of consanguinity. In the account of the custumars for Edinburgh 1444-45, there is a payment to William de Livingston of £13, 6s. 8d. towards the repair of the Castle of Dalkeith, and he also received a remission of £3 of the custom of the tron of Edinburgh on the mandate of James de Livingston, Captain of Stirling Castle.[3] Out of the tron custom for 1447-48 William de Livingston received a gift of £4, 8s. 11d. towards the expense of his son's studies at Paris.[4] These entries may refer to William Livingston of Kilsyth, who died in 1459, leaving three sons:—

1. EDWARD, who succeeded.
2. *William.*
3. *Alexander.*.

Both Douglas and Crawfurd give Sir Henry Livingston, Preceptor of Torphichen, as the second son of the first Laird of Kilsyth, but a tack of Temple lands by Sir Henry to his nephews William and Alexander, sons of his deceased 'dearest brother' William of Livingston of Balcastell, dated 20 September 1461,[5] makes it clear that he was a brother of the first laird; and besides, William Livingston appears as a witness along with his brother, Edward

[1] *Reg. Mag. Sig.*, fol. vol. 22, 12. [2] Kilsyth Charters. [3] *Exch. Rolls*, v. 180-181. [4] *Ibid.*, 313. [5] *Proc. Soc. Antiq. of Scot.*, v. 314.

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Livingston of Balcastel, to a deed dated 29 November 1481,[1] so that he could not be the person whom Sir Henry describes in the tack referred to as his 'derraste brother William of Levyngstone of Balcastell.'

EDWARD LIVINGSTON was infeft in lands in Dumfriesshire in 1456,[2] and in half of the lordship of Kilsyth on the west side of the bank of the Garvald, 20 April 1460,[3] as son and heir of the deceased William Livingston of Balcastell. In the same year he had sasine of the lands of Glassinwell.[4] In a number of contemporary deeds Edward appears as 'of Balcastel' as well as 'of Kilsith.' In an agreement for the marriage of his son and heir-apparent, 19 December 1480, he is designed 'of Balcastell,' the last word being written over 'Kilsithe' deleted.[5] He died between 6 April 1482, when his name appears as a witness, and 1 October of the same year, when he is mentioned as the deceased Edward Livingston of Balcastell.[6] According to a manuscript pedigree of the Viscount Teviot, a cadet of Kilsyth, in the Lyon Office, Edinburgh, this Edward Livingston married a daughter of Thomas, Lord Erskine, but proof is wanting, and as his eldest son married a daughter of Lord Erskine's sister, there may be some confusion between them. He is said to have had three sons:—

1. WILLIAM, who succeeded.
2. *Alexander* of Inchmawchane.
3. *Patrick.*[7]
4. *Robert.*[8]

WILLIAM LIVINGSTON obtained sasine of the lands of Killinsyth and Glasswellis in 1483,[9] and on 26 October 1486 he was retoured heir of his father in the lands of Graden in Berwickshire.[10] On 8 May 1496 William Livingston of Balcastell claimed Castleton and Ballimalloch, in the lordship of Kilsyth, as son and heir of the late occupier, Edward Livingston of Balcastell. James, third Lord Livingston,

[1] Stirling MS. Protocols, 1469-84. [2] *Exch. Rolls*, ix. 684. [3] Kilsyth Charters. [4] *Exch. Rolls*, ix. 667. [5] Stirling MS. Protocols. [6] *Ibid.* [7] *The Livingstons of Callendar and their Principal Cadets.* By E. B. Livingston, F.S.A. Scot., 1887, p. 158. [8] Protocol Book of James Young, Edin. City Chambers, 16 October 1504. [9] *Exch. Rolls*, ix. 683. [10] *Retours Berwick*, 479.

also claimed, and the suit resulted in an agreement whereby Lord James should have the lands in heritage and William Livingston in feu-farm from him.[1] This Laird of Kilsyth fell at Flodden, 9 September 1513. A service of his son and heir in the lands above-mentioned, dated 15 March 1513-14, bears that Alexander, Master of Livingston, gave seisin to his cousin William Livingston of Kilsyth, as son and heir of the late William Livingston of Kilsyth, 'qui obiit sub vexillo Regis in campo bellico apud Northumberland.'[2] There is great diversity of statement as to the wife of this William Livingston the elder. Crawfurd, who makes him the grandson of Edward, and says his father William married a daughter of Thomas, Lord Erskine, gives his wife as Janet, daughter of . . . Bruce of Airth. Douglas makes her Mary, daughter of Thomas, Lord Erskine, while the manuscript pedigree in the Lyon Office has Margaret Graham of the House of Montrose. Two entries in the Stirling MS. Protocols seem to settle the question. The first is the record of an agreement between Thomas, Lord Erskine, and Christina, Lady Graham, on the one hand, and Edward Livingston of Balcastell, on the other, for the marriage of William Livingston, son and heir-apparent of the said Edward, and Elizabeth Graham, daughter of the said Christina, dated 19 December 1480. That this contemplated marriage took place, and that the relationship between Lord Erskine and Lady Graham was that of brother and sister, is proved by a later deed, 1 October 1482, which bears that in prosecuting a brief of inquest purchased by William Livingston, son and heir of the late Edward Livingston of Balcastell, anent the lands of Castletown, etc., the procurator of the said William alleged that Lord Erskine (who was Sheriff of Stirlingshire) should not be a judge in serving of the said brief, because he was suspect, the said William having espoused the daughter of his sister.[3] This Laird of Kilsyth had three sons:[4]—

[1] *Acta Dom. Conc.*, vii. 208. [2] Kilsyth Charters. [3] A Christina, Lady Graham, is mentioned as spouse of Sir William Charteris, and also as a party in an action in connection with Elena, Lady Graham, and in another action in which she was the pursuer against John Erskine of Dun and David Graham of Morphie (*Acta Audit.*, 34, 36, 46, 87). [4] Douglas (ed. 1764) gives as second son Alexander of Inches, who in Wood's edition

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1. **William**, who succeeded. 2. *John.*[1]
3. *William*[2] (*secundus*).

William Livingston, on 2 November 1513, was infeft in half of the lands of Kilsyth and mill of the same, the reddendo being two pairs of gilt spurs with duplication of blench ferm.[3] He was served heir to his father in the lands of Darnchester on 4 February 1513-14,[4] and in the lands of Castleton and Balmalloch, 15 March 1513-14. He obtained possession of the lands of Baldorane by a charter granted in his favour by Walter Stewart, dated 23 July 1524.[5] On 14 May 1527 he was granted a remission for his treasonable coming against John, Duke of Albany, and against royal authority at Kittecorshill near Glasgow,[6] and in 1530 King James II. granted him a safe-conduct permitting him, his son, and others to go on a pilgrimage.[7] His eldest son having died, he obtained from the King, on his own resignation, a charter, dated 17 February 1539-40, incorporating his estates in Stirlingshire and Berwickshire into a free barony of Wester Kilsyth, and providing that in the event of the death of his grandson and heir-apparent without male issue, the family estates should descend to his second son, Alexander, and his heirs, failing whom, to his heirs-male whomsoever, and failing these to the nearest female heirs.[8] William Livingston died prior to 21 July 1545. He married (contract 16 October 1504) Jonet, daughter of Sir Robert Bruce of Airth, who survived him.[9] He had issue:—

1. *William*, who married Marion,[10] daughter of Sir Duncan

(vol. ii. 37) is called James, and is said to be ancestor of Viscount Teviot, but the Livingstons of Jerviswood, from whom Viscount Teviot's descent is deduced, can be traced back to an earlier date. [1] *Livingston Book*, 160. [2] Protocol Book of J. Melvill, 18 February 1552-53. Perhaps illegitimate. [3] Kilsyth Charters. [4] *Ibid.* [5] *Ibid.* [6] Pitcairn's *Criminal Trials*, i. Part I. *241. [7] *Third Rep. Hist. MSS. Com.*, 408*a*. [8] *Reg. Mag. Sig.* [9] Protocol Book of James Young. [10] The name of the wife of William Livingston, younger, of Kilsyth, is supplied by the following entry in the Protocol Book of John Graham, Notary, Stirling, 1543-1575:—21 July 1545.—Thomas Forrester of Arngibbon, for his mother and in her name, delivers to William Livingston of Kilsyth, her oye, a charter made to the deceased William Livingston, his father, and Marion Forrester, his mother, by William Livingston of Kilsyth, of the lands of Over Garwalis, with the manor-place of Wester Kilsyth, etc., together with the infeftment of seisin thereupon. The date of the charter 7 September 1525. The statement in *The Bruces and Comyns* (320) that Janet, second daughter of Sir John Bruce of Stenhouse and Airth, who was slain *circa*

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Forrester of Carden, Comptroller of the Household in the reign of James IV., and died *v.p.* leaving a son and heir:—

WILLIAM, who succeeded his grandfather.

2. *Alexander*, one of the Livingstons who were required to protect the infant Queen Mary in Stirling Castle, under the keepership of Alexander, Lord Livingston.
3. *Robert* of Baldoran.
4. *William* in Inchmahane.[1]
5. *James*.[2]
6. *John*.[3]
7. *Elizabeth*, married to Gabriel Cunningham of Craigends.
8. *Isabel*, married to John Campbell of Achinone.[4]
9. *Margaret*, married, first, to Ninian Bruce of Kinnaird;[5] secondly, to Alexander Baillie of Jerviswood.

WILLIAM LIVINGSTON, grandson of the fourth Laird of Kilsyth, obtained a charter, dated 7 October 1545, of lands in the earldom of Lennox which had reverted to the Crown through the forfeiture[6] of Matthew, Earl of Lennox. His ward and marriage were granted to Janet Bruce, wife of his grandfather, 2 August 1545,[6] as he was still in his minority, and it was not until 27 January 1552 that he had sasine of the family lands of Wester Kilsyth, Glaswell, now called Fennochthaucht and Middilthrid, along with Graden and Darnchester, which had been in the hands of the Queen for six years and a half by reason of ward.[7] He had had sasine of Castletoun and Balmalloch, held of Lord Living-

1483, married William Livingston, younger, of Kilsyth, and that both he and his father were killed at Flodden, is obviously incorrect. [1] These two sons are added on the authority of the following entry in John Graham's Protocol Book, 1543-75.—'Feb. 26, 1549-50—William Livingston in Inchmahane, younger son of the deceased William Livingston of Kilsyth, appoints James Livingston, his brother, to be his factor during his absence in France. [2] *Ibid.* [3] 1557 (17 May) John Livingston, uncle of William Livingston of Kilsith, grants an annualrent to Alexander Bruce of Airth from the lands of Carnok. Robert Ramsay's MS. Protocol Book (Stirling), 1556-1563. [4] Deed in Reg. Ho. 19 January 1534-35. [5] Crawfurd, who gives these three daughters, is confirmed with regard to Margaret by an entry in the same Protocol Book, dated 4 January 1546-47, recording a sasine in her favour by Ninian Bruce of Kinnaird, of the liferent of Livilands and Canglor. [6] *Reg. Sec. Sig.*, xix. 25. [7] *Exch. Rolls*, xviii. 534.

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ston, 5 November 1545.[1] After his marriage there are charters to him and Christian Graham, his spouse, of lands in Stirlingshire, 25 March 1553, and to him and William, his son, and the heirs-male of his body, with remainder to his uncle Alexander, and the heirs-male of his body, of the barony of Wester Kilsyth, etc., 19 June 1563. On the creation of Lord Darnley as Duke of Albany, 15 May 1565, he knighted fourteen gentlemen, among whom was Livingston of Kilsyth. Sir William's name appears in the list of those who were granted on 24 December 1566 a remission for Riccio's murder.[2] During the captivity of Queen Mary Sir William got involved in the political movements of the time, the leaders of both parties suspecting him of treachery, and he was more than once in exile. He was one of the jury of sixteen who, on 1 June 1581, found the Earl of Morton guilty of complicity in the murder of Darnley. He appears to have died between 27 September 1595[3] and 29 January 1595-96.[4] By his wife Christian Graham, younger daughter of William, third Earl of Menteith,[5] Sir William Livingston had one son and three daughters, viz.:—

1. WILLIAM, who succeeded.
2. *Christian*, married to John Lawson of Boghall.[6]
3. *Agnes*.[7]
4. *Elizabeth*.[8]

SIR WILLIAM LIVINGSTON of Kilsyth,[9] 'a man of parts and learning,' during his father's lifetime was designed of Darn-

[1] Orig. in Register House, P. Cal. 1367 (*a*). [2] Hay Fleming's *Mary Queen of Scots*, i. 502. [3] *Reg. Mag. Sig.*, 17 December 1613. [4] *Reg. of Deeds*, li. 194. A charter dated 26 May 1590, granted by Sir William Livingston of Kilsyth, Knight, to Alexander Hamilton of Haggs (*Laing Charters*, 1202), and bearing to be witnessed by Mr. James Stewart, 'pedagogue of the granter's son,' has been discovered by Dr. Maitland Thomson to be wrongly dated by the original scribe. There is good evidence to show that it was actually granted about 1598 or 1599, by the Laird of Kilsyth of that period. [5] Douglas has second daughter of John, fourth Earl of Menteith, and he is followed by Sir William Fraser in *The Red Book of Menteith* and by the author of the *Livingston Book*. Crawfurd (*Peerage*, 241) says Lady Christian was daughter of William, Earl of Menteith, and he is right. Lady Kilsyth is mentioned in the will of Robert Graham of Gartmore, a son of the third Earl, as his sister (Edin. Tests.), and in that of his daughter Margaret as her father's sister (*ibid.*), so that the proof of parentage is conclusive. She was alive in 1598, appearing as a debtor to the estate of William Graham of Panholes, who died in October of that year (*ibid.*). [6] Crawfurd's *Peerage*, 241. [7] Kilsyth Charters. [8] *Ibid.* [9] He is styled of 'Darnchester' 11 and 27 September 1595, and 'of Kilsyth' 29 January 1595-96 (*Deeds*, li. 194).

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chester, and received the honour of knighthood at the baptism of Prince Henry of Scotland on 30 August 1594. He was admitted a Privy Councillor in 1601, and in the same year attended Ludovic, Duke of Lennox, in his embassy to France. He was a member of the Convention of Estates in the years 1599, 1602, 1605, and 1609. On 6 June 1609 he was appointed one of the Lords of Session, and on 13 May 1613 Vice-Chamberlain of Scotland. He obtained a number of Crown charters between 1612 and 1620, one of which is of interest as uniting under one owner the lands of Easter and Wester Kilsyth. The easter barony had remained in the hands of the elder branch of the Livingstons till it was disponed to Sir William by Alexander, Earl of Linlithgow, and his son Lord Livingston for 50,000 merks.[1] The Crown charter, which is also the charter of erection for the burgh of Kilsyth, is dated 4 October 1620.[2] Sir William died in 1626 or 1627. He married, first, a French lady, Antoinette de Bord, daughter and heir of Pierre de Bord,[3] by whom he had a son and daughter:—

1. *Sir William*, styled of Darnchester, after his grandfather's death.[4] He died *vitâ patris* after 22 June 1614 and before 16 February 1615. He married Anna Fleming, second daughter of John, first Earl of Wigtoun (contract 5 November 1607), who survived him, and married, secondly,[5] before 18 September 1618, Sir John Seton of Barns, and died in July 1625. Sir William had issue a son,

   WILLIAM, who succeeded his grandfather.

2. *Cristine*, married (contract 27 November and 1 December 1606[6]), to George, first Lord Forrester.[7]

Sir William married, secondly, Margaret, daughter of Sir John Houston of that Ilk (contract 27 July 1615), by whom he had also a son and daughter:—

3. SIR JAMES LIVINGSTON of Barncloich, who succeeded his grand-nephew as Laird of Kilsyth.
4. *Margaret*, married to Robert Montgomery of Haslehead. She had a charter as his future spouse 10 April 1656.[8]

[1] *Genealogical Account of the Family of Edmonstone of Duntreath*, by Sir Archibald Edmonstone, Bart. [*Edin.* 1875]. [2] *Reg. Mag. Sig.* [3] *Reg. of Deeds*, xxxvii. 294. She was alive in 1612 (*Ibid.*, ccexliii. 15). [4] *Ibid.*, ccxxxiv. 256. [5] *History of the Family of Seton*, 626, 627. [6] *Reg. of Deeds*, cxcviii. 20 August 1612. [7] *Reg. Mag. Sig.*, 21 August 1612 and 30 July 1618. [8] *Gen. Reg. of Sasines*, xi. 128.

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WILLIAM LIVINGSTON, baptized 27 June 1609,[1] was served heir of his grandfather 31 October 1627. He obtained a charter of the lands of West Kerse to himself and William, his son and heir-apparent, dated 30 July 1631.[2] He died 13 June 1633, having married, 16 December 1626,[3] Margaret, daughter of George, first Lord Ramsay of Dalhousie (contract 14 and 20 December 1626). By her he had issue a son and three daughters:—

1. WILLIAM, who succeeded.
2. *Margaret*, married to Andrew Rutherfurd of Hunthill.[4]
3. *Christian*, married, as his second wife, to James, first Viscount of Oxenford.[5]
4. *Anna*, died unmarried before January 1654.[6]

WILLIAM LIVINGSTON was served heir to his father 19 April 1634, and died, unmarried, in January 1647.

SIR JAMES LIVINGSTON of Barncloich, born 25 June 1616, was served heir to his grand-nephew (*nepos fratris*), the last Laird of Kilsyth, 23 April 1647.[7] He adhered to the royal cause in the civil war, and suffered fine and imprisonment in consequence, while his mansion-house of Kilsyth was burned and his estates devastated by the English soldiers.[8] While in prison in Edinburgh he had the misfortune of hearing that his house had been again burned, this time by a party of loyal Highlanders, to prevent its use as a garrison by the English.[9] In the first Parliament held after the Restoration Sir James sat as one of the representatives of Stirlingshire. A committee appointed to inquire into his losses during the wars reported under date 8 July 1661, giving full details and assessing the total

[1] Canongate Reg. [2] *Reg. Mag. Sig.* [3] Canongate Reg. [4] Charter as his future wife, 25 February 1647 (*Gen. Reg. Sas.*, lvi. 143). [5] *Ibid.*, 23 July 1646 (*Edin. Sas.*, xxxiv. 32). [6] *Reg. of Deeds*, 594, 3 February 1654. [7] *Retours.* Sir James Livingstoun, now of Kilsyth, Knight, served heir-male in general to the deceased Sir William Livingston of Darnchester, Knight, his brother; also to William Livingstoun of Kilsyth, last deceased, his brother's oye; also as nearest and lawful heir-male and of tailzie in special to the said deceased William Livingstoun, his said brother's oye (*Court Book of Stirlingshire*). [8] Cromwell himself may have occupied Kilsyth House when he wrote the letter to the Provost of Glasgow dated at Kilsyth 10 October 1650 (Nicoll's *Diary*, 31). [9] *Ibid.*, 134.

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at £201,063 Scots (£16,755, 5s. sterling).[1] Shortly afterwards Sir James obtained from King Charles II. a patent of the titles of VISCOUNT OF KILSYTH and LORD CAMPSIE, with remainder to his heirs-male, dated 17 August 1661, in which his services to the Crown and sufferings for the royalist cause are narrated. Viscount Kilsyth did not live long to enjoy his honours, dying in London 7 September following his elevation to the Peerage. By his wife, Euphame, daughter of Sir David Cunningham of Robertland (contract 10 December 1639) he had:—

1. JAMES, who succeeded as second Viscount of Kilsyth.
2. WILLIAM, third and last Viscount.
3. *Elizabeth*, married (contract 4 September 1662) to Major-General the Hon. Robert Montgomery, fifth son of Alexander, sixth Earl of Eglinton, with issue.
4. *Anne*, born 12 January 1648, died unmarried.

JAMES, second Viscount of Kilsyth, was served heir to his father and grandfather 11 May 1664 and 3 May 1665.[2] On 23 July 1680 the King confirmed a charter of resignation by the Viscount in favour of his brother, Mr. William, on condition of being allowed 4000 merks yearly for his aliment and sustentation, together with the use of the mansion-house of Colzium for his lifetime. By this charter the remainder was altered, and it was provided that in the event of an heir-female succeeding, she was to be obliged to marry a gentleman of the surname of Livingston, or who, and his heirs-male succeeding, should assume and bear the surname and title and dignity of Viscount of Kilsyth, and bear his arms.[3] The Viscount died unmarried in 1706.

WILLIAM, third and last Viscount of Kilsyth, was born 29 March 1650. After leaving the University of Glasgow he obtained a commission in the Royal Scots Dragoons, afterwards known as the Scots Greys. He was one of the representatives of Stirlingshire in Parliament in 1685-86. In 1688, as lieutenant-colonel of his regiment, he accompanied it in the Scottish army's march to England, and on the resignation of the Earl of Dunmore he had the chief

[1] *Acta Parl. Scot.*, vii. 315, 316, and App., 81. [2] *Retours.* [3] *Reg. Mag. Sig.*

command of the Dragoons until the arrival of his kinsman, Sir Thomas Livingston, appointed Colonel by King William. The regiment having been ordered to march back to Scotland, Kilsyth, whose sympathies were with King James, was arrested in Aberdeenshire by order of General Mackay on suspicion of corresponding with Viscount Dundee, and, along with several other officers of the same regiment, he was sent south to Edinburgh and imprisoned in the Tolbooth there. According to a local tradition, noticed by Chambers,[1] Kilsyth was not only present at the battle of Killiecrankie but was the person who gave Dundee his death-wound, in order that he might marry his widow, which he afterwards actually did. But the evidence is clear that Kilsyth was a prisoner at the time the battle took place, and as leader of the plot to assist Dundee was in daily dread of execution. His life was spared through the intercession of Sir John Dalrymple, the Lord Advocate, but his rents were sequestrated.[2] He was liberated in 1690, but placed under military supervision, and was again arrested in 1692, and imprisoned in Edinburgh Castle until finally liberated 10 May 1694, on condition of leaving the three kingdoms, the penalty of returning without his Majesty's permission being £1000 sterling. His wife, Viscount Dundee's widow, accompanied him to Holland, where misfortune followed them, for while sitting in their lodgings at Utrecht, his wife and child, with its nurse, were killed by the falling in of the roof of their chamber, which buried them in its ruins. This melancholy accident took place on 15 October 1695.[3] The bodies of Lady Kilsyth and her son were embalmed and brought home for burial in the aisle of Kilsyth Parish Church, where they were seen in the family vault a century later perfectly preserved.[4] Kilsyth appears to have been allowed to return home at this time, and in 1702 he was again elected one of the representatives of Stirlingshire in Parliament, a position he held till the death of his brother in 1706 raised him to the Peerage. He opposed the Treaty of Union, and being

[1] *Rebellions in Scotland*, 1689-1715, p. 321 *note*. [2] *P. C. Reg.*, 3 January 1690. [3] See letter of 17 October 1695, giving account of the disaster, as the result of an excessive weight of turf stored in an upper room of the house; *Twelfth Rep. Hist. MSS. Com.*, App. 49, 50. [4] Garnett's *Tour through the Highlands*, ii. 206 *et seq.*

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suspected of again intriguing with the Jacobites, he was arrested in April 1708, but in default of evidence was admitted to bail. In 1710, and again in 1713, he was elected one of the Representative Scottish Peers. Joining the Earl of Mar in the rising of 1715, he was present at the battle of Sheriffmuir, the result of which forced him, in April 1716, to seek safety abroad, and his estates were forfeited. He died at Rome 12 January 1733. He married, first, Jean, Viscountess Dundee,[1] youngest daughter of William, Lord Cochrane, eldest son of William, Earl of Dundonald, by whom he had a son,

1. *William*, who died in infancy.

Secondly, Barbara, daughter of Henry Macdougall of Makerston, Roxburghshire, by whom he had a daughter,

2. *Barbara*, who died young.

Creations.—Viscount of Kilsyth and Lord Campsie, 17 August 1661.

Arms (recorded in Lyon Register).—Argent, three gillyflowers slipped gules, within a double tressure flowered and counterflowered with fleurs-de-lis vert.

Crest.—A demi-savage wreathed about the temples and waist with laurel.

Supporters.—Two lions proper.

Motto.—*Spe, expecta.*

[W. B. C.]

[1] A ring, which is said to have been Kilsyth's gift to Lady Dundee, has a romantic history. According to local tradition, as noted by the Rev. P. Anton, minister of Kilsyth, it was accidentally dropped by the lady in the garden, and was turned up by a gardener while digging at the spot in 1796. It is a hoop of gold without any stone, and is ornamented with a myrtle wreath. Inside it has the inscription, 'Yours only and Ever.' Some years after another gold ring was found in a field near Colzium, with the inscription, 'Yours till deathe.' Both rings are preserved at Duntreath House, Kilsyth.

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SETON, VISCOUNT OF KINGSTON

ALEXANDER SETON, fourth son of George, third Earl of Wintoun (*see that title*), was born 13 March 1620. When King Charles I. visited Seton in 1633 he was welcomed by the youthful Alexander in a Latin oration, for which feat he received the honour of knighthood at the hands of his Majesty. In 1636 he went to France, and spent two years at the Jesuit College of La Flèche, and subsequently, after travelling in Italy, Spain, and France, he returned home in 1640. Three years later, to avoid subscribing the Covenant, he went to Holland for eight months; but on his return home, as he still persisted in his refusal, he was excommunicated in the parish church of Tranent 8 October 1644. He then went to France, where he was in attendance on Charles, Prince of Wales; he came to London in 1647, and was employed on several commissions by King Charles I. On 14 February 1651, immediately after the coronation of King Charles II. at Scone, Seton was created VISCOUNT OF KINGSTON, with remainder to the heirs male of his body, being the first dignity Charles conferred as King. Seton was at the time busily engaged in the royal service, gallantly holding Tantallon Castle against Cromwell and his forces. The Castle was taken by assault on 21 February, but Seton and his men received quarter.

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There is no record of Lord Kingston during the Cromwellian period of government in Scotland. On 17 May 1662 he signed, with others, a congratulatory letter to the restored King on the occasion of his marriage,[1] and in 1668 he appears to have been appointed to command the East Lothian Militia. Lord Kingston died at Whittinghame 21 October 1691.

Lord Kingston married, first, Jean, said to be daughter of Sir George Fletcher, Knight, of the Innerpeffer family; secondly, about 1661, Elizabeth, daughter of Sir Archibald Douglas of Whittinghame; she was, as Viscountess of Kingston, served heir to her brother Archibald 15 May 1662.[2] She died in 1668, aged thirty-two, and he is said to have married, thirdly, Elizabeth Hamilton, third and hitherto unknown daughter of John, first Lord Belhaven. He married, fourthly, 4 August 1686, Margaret Douglas, daughter of Archibald, Earl of Angus, and sister of James, second Marquess of Douglas. She died 12 October 1692, aged forty-one. By neither of his last two wives had he any issue.

Lord Kingston's children were:—

1. *Jean* (? *Ann*), born at Seton 24 April 1651; married to James Douglas, third Lord Mordington.
2. *Charles*, Master of Kingston, born at Seton 4 April 1653; died *v. p.* unmarried 7 June 1682.
3. *George*, born at Seton 29 July 1654, and died *v. p.* unmarried, in London, May 1678, after having served for some years as an officer in Douglas's regiment in France: 'a very lively and extraordinary handsome youth, and very gallant.'[3]
4. *Alexander*, born at Seton 4 November 1655, and died *v. p.* 4 October 1676: 'a good scholar; learned in Greek and Latin; a good Latin poet; a young man of good expectation, wise and virtuously well inclined, and of parts unknown.[4]
5. Archibald, second Viscount Kingston.
6. *Arthur*, born at Whittinghame 30 December 1665, died 23 October 1691, two days after his father: they were buried in Whittinghame church on 25 October.

[1] *Lauderdale Papers*, B.M. [2] *Retours, Haddington*, 269. [3] Family Bible at Duns Castle (Lord Kingston's 'Continuation'). [4] *Ibid.*

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7. *John*, born at Whittinghame 11 October 1666, and died 29 April 1674.
8. JAMES, third Viscount Kingston.
9. *Isabel*, born at Whittinghame 18 November 1656, and died 13 June 1677.
10. *Barbara*, born at Westfield 4 September 1659, and died 5 November 1679; 'a most rare creature, wise and accomplished above her age, almost to admiration.'
11. *Elizabeth*, born at Whittinghame 21 April 1668; married, 23 November 1695, to William Hay of Drummelzier, son of John, first Earl of Tweeddale.

II. ARCHIBALD, second Viscount of Kingston, was born at Whittinghame 5 October 1661, and was, under the designation of Master of Kingston, served heir to his elder brother Charles 17 September 1683,[1] and to Elizabeth Douglas, his mother, 8 September 1684.[2] He died unmarried in 1714.

III. JAMES, third Viscount of Kingston, was born at Whittinghame 29 January 1667. He was an ensign in Buchan's regiment of Scottish Fusiliers in 1687. On 16 August 1690 he was concerned, along with John Seton, brother of Sir George Seton of Garleton, in the robbery of the mail-bags on the high-road near Dunbar. The affair came under the notice of the Privy Council, but neither of the culprits seems to have been punished, though John Seton stood his trial and was acquitted.[3] Viscount Kingston engaged in the rising of 1715, and was in consequence attainted and his title forfeited. He died about 1726, when his Peerage (already forfeited) became extinct.

He married (postnuptial contract 16 April 1714) Anne Lindsay, eldest daughter of Colin, third Earl of Balcarres, and widow of Alexander, Earl of Kellie. By her, who died at Edinburgh 3 February 1743,[4] he had no issue, and the male line of the first Viscount became extinct.

CREATION.—Viscount of Kingston, 14 February 1651.

[1] *Retours Gen.*, 6494. [2] *Retours, Haddington*, 350. [3] Chambers's *Dom. Annals*, iii. 32. [4] Testament confirmed 31 March 1743.

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Arms (not recorded in Lyon Register but given by Nisbet).—Quarterly: 1st and 4th, or, three crescents within a double tressure flory counterflory gules; 2nd and 3rd, argent, a dragon with wings expanded, tail nowed, vert.

Crest.—A crescent, flaming.

Supporters.—Two negroes wreathed about the head and middle with laurel proper.

Motto.—*Habet et suam.*

[G. S.]

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MORGAN-GRENVILLE, BARONESS KINLOSS

ON the death of Charles Bruce, fourth Earl of Elgin and third Earl of Ailesbury (*see that article*), 10 February 1746-47, without male issue, his barony of Kinloss, in the Peerage of Scotland, created 2 February 1601-2, of which he was the sixth holder, passed by right to the son of his eldest daughter Mary, who married, 21 December 1728, Henry Brydges, Marquess of Carnarvon, afterwards second Duke of Chandos. She died *vitâ patris* August 1738, leaving issue one son and one daughter, viz.:—

1. James, third Duke of Chandos, *suo jure* seventh Baron Kinloss.
2. *Caroline*, married John Leigh of Addlestrop, co. Gloucester.

James, third Duke of Chandos and *suo jure* seventh Baron Kinloss, though he never assumed that title, nor did any of his descendants, till the third Duke of Buckingham established his claim to it before the House of Lords 21 July 1868. He was born 27 December 1731, and died 1789, having married, first, 22 March 1753, Margaret, daughter and heiress of John Nicol, of Cony Hatch, but by her, who died 14 August 1768, had no issue. He married, secondly, 21 June 1777, Anne Eliza, daughter of Richard Gammon, and

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widow of Roger Hope Elletson, by whom he had issue one daughter and heiress,

ANNA ELIZA BRYDGES, *suo jure* eighth Baroness Kinloss; died 15 May 1836, having married, 16 April 1796, Richard, second Marquess of Buckingham, created Duke of Buckingham and Chandos 4 February 1822, and by him, who died 17 January 1839, had issue an only son,

RICHARD PLANTAGENET, second Duke of Buckingham, *suo jure* ninth Baron Kinloss, K.G., G.C.H.; born 11 February 1797; died 29 July 1861; married, 13 May 1819, Mary, youngest daughter of John, first Marquess of Breadalbane, and by her, who died 28 June 1862, had issue one son and one daughter, viz.:—

1. RICHARD PLANTAGENET, third Duke of Buckingham, tenth Baron Kinloss.
2. *Anne Eliza Mary*, born 7 February 1820, married, 9 June 1846, to William Henry Powell Gore-Langton, M.P., of Newton Park, Somersetshire, and died 3 February 1879, leaving issue.

RICHARD - PLANTAGENET - CAMPBELL - TEMPLE - NUGENT-BRYDGES-CHANDOS GRENVILLE, third Duke of Buckingham and Chandos, Marquess of Buckingham, Earl Temple, Viscount and Baron Cobham, in the Peerage of the United Kingdom, Earl Nugent in the Peerage of Ireland, and tenth Baron Kinloss, in the Peerage of Scotland, senior co-heir of the barony of Bourchier, P.C., G.C.S.I., C.I.E., D.C.L., Lord-Lieutenant of Bucks, Lord President of the Council 1866, Secretary of State for the Colonies 1867-68, Governor of Madras 1875 to 1880; born 10 September 1823; married, first, 1 October 1851, Caroline, only daughter of Robert Hervey of Langley Park, Bucks, and sister of Sir Robert Bateson Hervey, Bart., and by her, who died 28 February 1874, had issue three daughters, viz.:—

1. MARY, eleventh Baroness Kinloss.
2. *Anne*, born 25 October 1853, married, 3 August 1882, Lt.-Colonel George Rowley Hardaway, R.A., and died 20 March 1890, leaving issue two daughters.
3. *Caroline Jemima Elizabeth*, born 11 April 1856; unmarried.

His Grace married, secondly, 17 February 1885, Alice

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Anne, daughter of Sir Graham Graham-Montgomery, third Baronet of Stanhope, co. Peebles. He died 26 March 1889, without male issue, and his widow married, secondly, 8 August 1894, Earl Egerton of Tatton. On his Grace's death the dukedom of Buckingham and Chandos became extinct, the earldom of Temple devolved on his nephew, William Stephen Gore-Langton of Newton Park, Somersetshire, the viscounty of Cobham devolved on his kinsman Lord Lyttelton, and the barony of Kinloss, which was claimed by and adjudged to the Duke by the House of Lords 21 July 1868, devolved upon his eldest daughter,

Mary Morgan-Grenville, born 30 September 1852, succeeded her father as eleventh Baroness Kinloss; married, 4 November 1884, to Luis Ferdinand Harry Courthope Morgan (eldest son of George Manners Morgan of Biddlesdon Park, Bucks, formerly captain 4th Dragoon Guards), who with herself assumed, by royal licence, 6 December 1890, the surname and arms of Grenville, and by him, who died 1896, had issue:—

1. Richard George Grenville, Master of Kinloss, born 25 September 1887.
2. *Luis Chandos Francis Temple*, born 10 October 1889.
3. *Thomas George Breadalbane*, born 26 February 1891.
4. *Robert William*, born 21 July 1892.
5. *Harry Nugent*, born 8 January 1896.
6. *Caroline Mary Elizabeth Grenville*, born 26 June 1886.

Creation.—Baron Kinloss, in the Peerage of Scotland, 2 February 1601-2.

Arms[1] (these are given in Pont's ms.).—Or, a saltire and chief gules, and for a reward on a canton or a lion rampant gules.

Crest.—A lion passant gules.

Supporters.—Two savages proper wreathed with laurel vert.

Motto.—*Fuimus*.

[W. B. A.]

[1] The present Baroness Kinloss does not bear any quartering for her Bruce descent, or for the Barony of Kinloss. She quarters *Grenville*, *Leofric*, *Temple*, *Nugent*, *Brydges*, and *Chandos*.

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KINNAIRD, LORD KINNAIRD

OF the lands from which the surname of Kinnaird is derived the first possessor on record is Radulphus, also called Ruffus, who received a charter of Kinnaird, except Pitmeodhell, from King William the Lion for the service of one soldier.[1] This charter is undated, but is witnessed by Andrew, Bishop of Caithness, and was therefore granted in or prior to 1184, in which year the bishop died.

Nothing further is known of this Radulphus, except that he died prior to 1214, by which date his grandson is styled 'de Kinnard.' No mention is found of his son, but the grandson was

Richard de Kinnard. He had a sister Isabella; she was married to John, son of Richard of Invertuyl,[2] who got with her the lands of Dunort from her brother Richard.

There is also extant a charter in which William the Lion confirmed to Galfrid, Steward of Kinghorn, a grant of land in Kinbrichtorn made by 'Richard de Kinnard, grandson of Radulphus.'[3] This charter is also without date, but must be before 1214, in which year William the Lion died. It

[1] Macfarlane's *Gen. Coll.*, i. 52; original charter at Fingask. [2] Macfarlane's *Gen. Coll.*, i. 52. [3] *Laing Charters*, No. 3.

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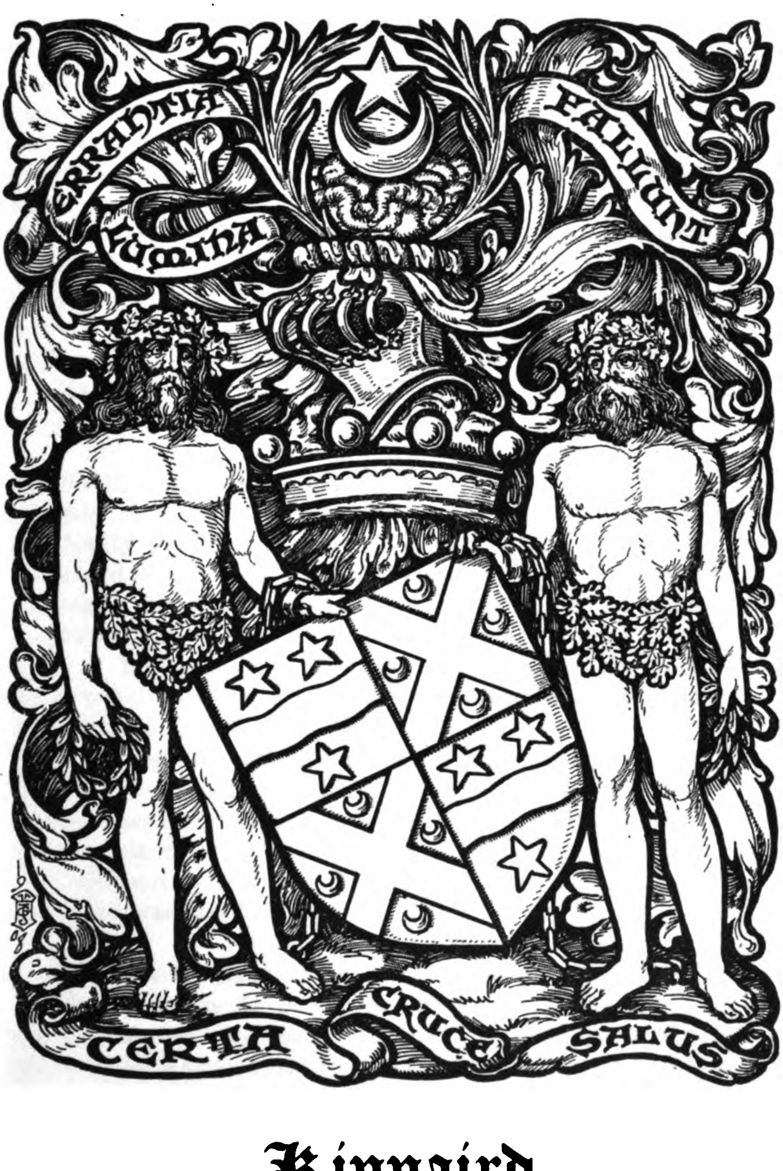

Kinnaird

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is not known whom Richard married, but he was succeeded before 1249 by his son,

RADULPHUS. He granted a charter of confirmation to Richard, son of John of Invertuyl, of the lands which his father had granted in free marriage to John and Isabella.[1] This charter was witnessed by Galfrid, Bishop of Dunkeld, Alexander, Abbot of Cupar, and Philip, Abbot of Scone. It was therefore anterior to 1249, in which year the Bishop of Dunkeld died. The name of Radulphus's wife is not known, but he is said by Douglas to have had two sons:[2]—

1. RICHARD, who succeeded him.
2. *Thomas*, who witnessed a charter of confirmation by Hugh the Blond of Arbuthnott to the Abbey of Arbroath in 1282.[3]

SIR RICHARD DE KINNAIRD, Knight, was probably a son of Radulphus. He was among the Scottish barons who swore fealty to King Edward I. in 1296.[4] He is designed as 'Richard de Kynnard del conte de Fyfe.' He witnessed a charter by King Alexander III. to the Abbey of Whithorn in Wigtownshire, of an advowson of the Church of the Holy Trinity at Ramsey, Isle of Man, in 1285.[5] He lived till 1306, in which year he is found doing homage 'pro terris in Comitatu de Fyf.'[6]

There is also mentioned in the *Ragman Roll*, as doing homage and swearing fealty to King Edward, 'Rauf de Kinnard tenant le roi du Counte de Perth.'[7] His seal bears a saltire cantoned with four crosses.[8] Douglas says that he was the son of Richard de Kinnaird mentioned above, and that he was the father of

RICHARD DE KINNAIRD, who, in a charter of resignation of Robert Cochran *de eodem*, is designed 'Richardus de Kinnaird *dominus ejusdem*' in 1368.[9] Douglas further states that he was the father of, and was succeeded by

[1] Macfarlane's *Gen. Coll.*, i. 53; original at Fingask. [2] Douglas *Peerage*, Wood's edition. [3] *Reg. Nigrum de Aberbrothock*, i. 271. [4] *Cal. of Doc.*, ii. 214. [5] *Eleventh Rep. Hist. MSS. Com.*, pt. vii. 150; Bridgewater Trust Papers. [6] *Fœdera*, Record ed., ii. 995. [7] Nisbet's remarks on the *Ragman Roll*, 27. [8] *Cal. of Doc.*, ii. 184, 202. [9] Macfarlane's *Diplomatum Collectio*, i. 402.

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SIR RICHARD KINNAIRD of that Ilk, who had a charter of the lands and barony of Kinnaird, with their pertinents lying in the sheriffdom of Perth, etc., dated 7 December 1379.[1] Among the witnesses are John, Earl of Carrick, the King's firstborn son, and his son Walter, Earl of Fife. He also had a charter of confirmation of the lands of Chethynrawoch and Kinnynmond, in the barony of Slains in Aberdeenshire, on the resignation of Thomas de Haya, Constable of Scotland, at Perth 30 September 1380.[2] He died before 1399, leaving two sons:—

1. *Alan de Kinnaird* of that Ilk, who died in or before 1436, having married before 1420 Dame Mary Murray, who had two daughters by a former husband. It is not certain that she was Kinnaird's first wife, as his son Thomas was old enough to be a witness to a charter on 29 January 1417-18.[3]

Thomas de Kinnaird, the son, died before 7 May 1440.[4] He also married a Murray in the person of Egidia Murray, the heiress of Culbin, co. Forres, and of half the barony of Naughton in Fife.[5] They had issue:—

1. *Alan*, who succeeded.
2. *Thomas* of Skelbo, ancestor of the Kinnairds of Culbin.
3. *John*, married Margaret Mowat, and died before December 1494, leaving two daughters.[6]
4. *Mariota*, married (contract 12 May 1438) to Alexander Skene, younger of that Ilk.[7]

Alan de Kinnaird, the eldest son, died in 1489,[8] having married Janet Keith, who survived him, and was married, secondly, before 10 February 1494-95, to William, Thane of Cawdor.[9]

Thomas de Kinnaird, son of Alan, was still alive in January 1501-2, when certain of his tenants in the barony of Naughton requested him to enter with his superior. He was dead before January 1505-6,[10] having married, before April 1481, Elizabeth Drummond. Having no issue, he was succeeded by his cousin,

Andrew Kinnaird, son of Thomas of Skelbo, succeeded before January 1505-6. He died before 13 July 1525, leaving by his wife, whose name is unknown, two sons, *John* and *Gilbert*.

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[1] Douglas says this charter is *penes Dom. Kinnaird*, but it is not there now; *vide Fifth Rep. Hist. MSS. Com.*, App. 620. It is possibly at Fingask with other old Kinnaird charters. [2] *Reg. Mag. Sig.*, folio vol. 151, 117; Macfarlane's *Gen. Coll.*, i. 54. [3] Lauderdale Charter-chest. [4] *Reg. Mag. Sig.* [5] Maidment's *Analecta Scotica*, 2. [6] *Reg. Mag. Sig.*, 2 February 1508-9; *Acta Aud.*, 15 December 1494. [7] *Memorials of Family of Skene*, 17. [8] *Retours, Perth.* [9] *Thanes of Cawdor*, 85. [10] Reg. Ho. Charters, Nos. 640B, 686.

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John Kinnaird was killed at the battle of Pinkie 1547.[1] He was contracted in January 1505-6 to marry Christian, daughter and heiress of Hugh Sutherland of Pronsie,[2] but this did not take effect, and he married Janet Ogilvy, a sister of Patrick Ogilvy of Inchmartin. They had a son,

Patrick Kinnaird, who died in September 1561. He married Elizabeth Scot,[3] who died February 1568-69, leaving three sons:—

1. *Patrick.*
2. *John.*
3. *Patrick* (*secundus*).[4]

Patrick Kinnaird died before 1618, having married Margaret, only legitimate child of Sir John Carnegie of Kinnaird. By her he left issue six sons and five daughters.

John Kinnaird, the eldest son, succeeded, and he and his wife Margaret Ogilvy, together with their son and heir John, resigned the lands and barony of Kinnaird into the hands of the King, who, on 26 March 1618, granted them to John Livingston, one of the Gentlemen of his Bedchamber.

2. Reginald, the ancestor of Lord Kinnaird.

Reginald Kinnaird, younger son of Sir Richard Kinnaird of that Ilk, granted a charter without date, but probably about 1400, to his cousin Andrew Moncur of that Ilk of the lands of Moncur.[5] The date of his death is uncertain, but it must have been subsequent to 1425, in which year his seal is found attached to a writ.[6] He married Marjorie, daughter and heiress of John de Kircaldy of Inchture. Pope Benedict xiii., on 28 June 1396, issued a commission to grant dispensation for their marriage, as they were in the third degree of affinity, and the late Andrew Boyd, Marjorie's former husband, had been related to Kinnaird in the third degree of consanguinity.[7] On 28 January 1399-1400 the spouses had a charter from King Robert iii. of all the lands Marjorie held of the King in the barony of Inchture, which she had resigned.[8] They had issue a son and successor,

Walter Kinnaird of Inchture. On 12 March 1470 he was one of an inquest on the lands of Balgally, of which he had sasine 6 September 1473, and he was on another inquest on the same lands 17 March 1476-77. Neither the

[1] *Retours, Perth.* [2] Reg. Ho. Charters, Nos. 686, 687. [3] *Reg. Mag. Sig.*, 20 June 1563. [4] *Ibid.*, 13 July 1590. [5] Charter *penes* Lord Kinnaird. [6] Macdonald's *Scot. Arm. Seals*, No. 1511. [7] *Reg. Avenionense*, 300, f. 267. [8] Macfarlane's *Gen. Coll.*, i. 53.

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date of his death nor the name of his wife has been ascertained, but he had at least one son,

WILLIAM KINNAIRD, to whom in 1480 his father granted a proxy to act for him. On 13 July of that year he granted a charter, for himself and his father, of the lands of Clochindarg to Andrew Clark and his wife Margaret Kinnaird, possibly a sister.[1] He married Margaret, daughter of Thomas Levington, burgess of Edinburgh, the cousin and heiress of James Levington, Bishop of Dunkeld.[2] William died *vitâ patris*, leaving a son,

JOHN KINNAIRD of Inchture. He had a charter from his grandfather Walter, on 17 October 1486, of the lands of Inchture and Balgavy, and he had sasine of Inchture on 26 January following.[3] On 14 March 1511-12 he had a charter from Andrew Kinnaird of that Ilk of an annualrent of £10 from the lands of Kinnaird.[4] The date of his death is not certain, though, as his son George had a precept of clare constat 6 November 1513, it is probable that he fell at Flodden. He was succeeded by his son,

GEORGE KINNAIRD of Inchture. On 27 February 1507-8 he and his wife had a charter from his father of the lands of Balgally.[5] He was one of the arbiters in a submission between Lyon of Easter Ogil and Fenton of Wester Ogil in 1518.[6] He died in or prior to 1539, when his son John is styled 'of Inchture.'[7] He married Janet Ogilvy, and had a son,

JOHN KINNAIRD of Inchture. He is mentioned as 'grandson of umquhile John Kinnaird of Inchture.'[8] On 30 March 1555 he was one of an inquest on the retour of service of William, son of Patrick Ogilvy of Inchmartin.[9] He had a letter, dated 30 May 1562, from Queen Mary, desiring him to hold himself in readiness to accompany her to the Borders, to give attendance at a proposed meeting with Queen

[1] Inchture Charter-chest. [2] Protocol Book of James Young, 5 November 1502; do. of John Foulis, 10 May 1513, both in Edinburgh City Chambers. [3] Inchture Charter-chest. [4] *Ibid.* [5] *Ibid.* [6] *Acts and Decreets*, xliv. 430. [7] *Reg. Mag. Sig.*, 17 March 1539-40. [8] *Acts and Decreets*, xxxiv. 360. [9] Writ in Atholl Charter-chest.

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Elizabeth.[1] In 1562 he granted his son and heir Patrick a charter of Inchture, and from that time to his death they were both styled of 'Inchture.'[2] He died previous to 26 April 1581, when his son was served heir to him.[3] His wife's name is not known, but he left issue:—

1. PATRICK, who succeeded.
2. *George*, who granted a reversion of the lands of Mergitlands to his father in 1572.[4]
3. —— a daughter, who married a Kinnaird, and had a son George, who was an executor in the will of Patrick Kinnaird of Inchture in 1581, where he is described as 'my sisters son.'[5]
4. *Janet*, married (contract 19 March 1570-71) to Gilbert Ireland of Drimmie.[6]

PATRICK KINNAIRD of Inchture was served heir to his father 26 April 1581,[7] the lands having been in non-entry for two months and twenty days. He died in February 1581-82,[8] having married first, before 2 October 1542, Mariota Hepburn; on that date they, as spouses, got a charter in feu-farm of the lands of Inchture.[9] She must have died before 1568, and he must have married, secondly, Margaret Moncur, daughter of Andrew Moncur of that Ilk, with whom he got a charter from his father on 19 May of that year.[10] He had issue, probably by his second wife:—

1. PATRICK, who succeeded.
2. *George*, married (contract 6 October 1592[11]) Elizabeth, daughter of Andrew Moncur in Rawis.
3. *Elizabeth*, married to Patrick Ogilvy of Inchmartin.

PATRICK KINNAIRD of Inchture was served heir to his father in the barony of Inchture 19 March 1581-82, the lands having been in non-entry for one month.[12] He was escheated for the slaughter of Andrew Clark of Clochindarg, and his escheat granted in 1590 to Catherine Moncur

[1] Letter in Inchture Charter-chest. [2] *Ibid.* [3] *Retours, Perth*, 41. [4] Inchture Charter-chest. [5] There was a will of Marjory Kinnaird, who died April 1591, spouse of Andrew Kinnaird, merchant burgess of Dundee, confirmed 4 July 1598; Edin. Tests. [6] *St. Andrews Commissariot Decreets.* [7] *Retours, Perth*, 41. [8] Testament confirmed 24 February 1590-91; Edin. Tests. [9] *Reg. Mag. Sig.* It is not, however, certain that this refers to the laird of Inchture. [10] Inchture Charter-chest. [11] *Perth Inhibitions*, 25 December 1595. [12] *Retours, Perth*, 40.

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by letters under the Privy Seal.[1] In 1583 he had sasine of the lands of Polgavy.[2] He was killed in July 1590[3] by William Ogilvy, a son of Patrick Ogilvy of Inchmartin, who received a pardon under the Great Seal, 8 December 1594.[4] He married Elizabeth, daughter of Patrick Gray of Balgarno, contract 1 May 1576; on 26 of that month his grandfather John granted her part of the lands of Inchture in liferent.[5] She had an assignation, 26 August 1590, of the ward and relief of all his lands. Caution of £500 was found for her, 22 July 1590, that she would not harm Andrew Hude in Balgay, his wife, bairns or tenants.[6] They had issue:—

1. Patrick, who succeeded.
2. *Andrew*, married Helen Menzies, relict of James Bertram of Melgund.[7]
3. *George*, acquired from his brother Patrick the lands of Clochindarg and Meadowacre.[8] He died in 1621, leaving issue.
4. *Janet*.
5. *Barbara*.

He had also a natural son *Andrew*.[9]

Patrick Kinnaird of Inchture was not served heir to his father till 10 October 1604,[10] and even then was apparently not of age, as he got a letter of dispensation of his minority and permission to serve.[11] On 26 April of that year the Ogilvies of Inchmartin had to find caution not to harm Partick Kinnaird of Inchture and others of his family.[12] On 30 January 1612 he had letters of remission under the Great Seal 'pro gestione et usu machinarum, machinularum aut bombardarum ante diem date' and for the slaughter with them of Archibald Ker in the month of December 1609.[13] On 4 July 1615 he had a charter to himself in liferent, and his son John in fee, of part of the lands of Mylnhill and Byirflatt in the barony of Lundie,[14] which they resigned 8 August 1617.[15] On 12 June 1624 he had charters from William, Lord Crichton, of half the lands of

[1] Inchture Charter-chest. [2] *Ibid.* [3] Testament confirmed 2 February 1590-91. [4] *Reg. Mag. Sig.* [5] *Ibid.* [6] *P. C. Reg.*, iv. 512. [7] *Forfar Inhibitions*, 18 December 1621. [8] Inchture Charter-chest. [9] *P. C. Reg.*, vii. 547; viii. 61. [10] *Retours, Perth*, 134. [11] Inchture Charter-chest. [12] *P. C. Reg.*, vii. 548. [13] *Reg. Mag. Sig.* [14] *Ibid.* [15] *Ibid.*

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Drimmie, and half the lands of Balligerno.[1] On 14 July 1621 he had a charter from Patrick Kinnaird of Clachindarg, of the lands of Polgavy.[2] On 7 August 1643 he had a charter of Raschiefirth and Corniefirth together with the village and lands of Unthank,[3] and on 30 July 1647 another of the lands of Inchmichaell and others.[4] He died about 1658, having married (contract 2 October 1609[5]) Euphemia, daughter of Gilbert Gray of Bandirrane.[6] He left issue:—

1. *John*, who succeeded.
2. George, first Lord Kinnaird.
3. *Margaret*, married to Sir John Hay of Killour, and was mother of John, twelfth Earl of Erroll.[7]

I. George Kinnaird, the second son, acquired all the family properties from his brother John in 1660. A staunch royalist, he was knighted by King Charles II. in 1661, and made a Privy Councillor. As Sir George Kinnaird of Rossie he sat in Parliament for Perthshire 1661-63. On 6 December 1678 he resigned the lands and baronies of Inchmichael and Inchture in favour of himself in liferent, and his son Patrick in fee.[8] It is said that he was generally at strife with his minister, kirk-session, and presbytery, and he finally left the Scottish Church, and became actually hostile to the Presbyterians during the time of the Covenanters. On 28 December 1682 he was created LORD KINNAIRD of Inchture, with remainder to the heirs-male of his body. He was one of those who voted for the execution of Argyll in 1685.[9] He did not live many years after this, dying on 29 December 1689. He married, 19 November 1650, Margaret, daughter of James Crichton of Ruthven. She died 31 October 1704,[10] having had issue:—

1. Patrick, second Lord Kinnaird.
2. *John*, died *s.p.*
3. *James*, died *s.p.*
4. *Alexander*, died *s.p.*
5. *Charles*, said to have been a man of great learning and strict honour. He seems to have acted as factor to

[1] Confirmed 1 July 1624, *Reg. Mag. Sig.* [2] Confirmed 13 March 1630, *ibid.* [3] *Ibid.* [4] *Ibid.* [5] Inchture Charter-chest. [6] *P. C. Reg.*, ix. 554. [7] Vol. iii. 573. [8] Inchture Charter-chest. [9] Fountainhall's *Diary*. [10] Masterton Papers, Scot. Hist. Soc. *Misc.*, i. 480.

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his nephew Lord Kinnaird, as his name very frequently appears in papers relating to payments of estate accounts and bills due. He died *s.p.* in England, before 4 August 1727, when his testament was confirmed.[1]

6. GEORGE, of whom afterwards.

II. PATRICK, second Lord Kinnaird, did not take any prominent part in public affairs, and died 18 February 1701. He married in 1679 Anne (born June 1660),[2] daughter of Hugh Fraser, eighth Lord Lovat. She was buried at Inchture 8 October 1684.[3] By her he had issue:—

1. *George*, Master of Kinnaird, died *vitâ patris*, *s.p.*, 27 August 1698.
2. PATRICK, third Lord Kinnaird.
3. CHARLES, fifth Lord Kinnaird.
4. *Anne*, married (contract 3 December 1701) to Thomas Drummond of Logiealmond.

III. PATRICK, third Lord Kinnaird. Nothing is recorded of him save that he was opposed to the Union and voted against it. He died at Edinburgh 31 March, and was buried 3 April, 1715, at Holyrood.[4] He married, first, in 1702, Henrietta Maria Murray, eldest daughter of Charles, first Earl of Dunmore; she died of fever at Drimmie on 27 October of the year in which they were married; he married, secondly, Elizabeth Lyon, second daughter of Patrick, Earl of Strathmore, and widow of Charles Gordon, second Earl of Aboyne, who died 1702, and from whose estate she had a jointure of 5000 merks. She survived Lord Kinnaird, and married, thirdly, Captain Alexander Grant of Grantsfield, and died January 1739. By her Lord Kinnaird had issue:—

1. PATRICK, fourth Lord Kinnaird.

IV. PATRICK, fourth Lord Kinnaird, is called Charles by Douglas. During the rising of 1715 he, or rather his guardians, for he was a mere child at that time, got a protection for his tenants from the Earl of Mar. He died in September 1727, at the age of seventeen.[5] His testament was confirmed 12 March 1728.[6] He was succeeded by his uncle,

[1] Edin. Tests. [2] Wardlaw MS., 455. [3] Funeral entries in Lyon Office. [4] Holyrood Burial Register. [5] Funeral entry, Lyon Office. [6] Edin. Tests.

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V. CHARLES, fifth Lord Kinnaird, third and youngest son of Patrick, second Lord. The principal events in his career arose out of his marriage, about 1729, to Magdalen, daughter of William Brown, merchant, Edinburgh. After they had been married eighteen years without children Lady Kinnaird left Drimmie House, where she was living 21 September 1747: two days afterwards, Lord Kinnaird announced to his friends that she had given birth to twin sons, Patrick and Charles. The next heir to the title, Charles Kinnaird, then brought an action in the Commissary Court, asking that he should be allowed to prove that the pretended delivery by Lady Kinnaird was a forgery, and that the alleged children were not born of her body. Lord and Lady Kinnaird refused to answer the interrogatories directed to be put to them by the Commissaries, who, 1 July 1748, decerned Lord Kinnaird to make payment to Mr. Kinnaird of the sum of £600 sterling for not appearing personally in court.[1] The affair was terminated by Lord Kinnaird declaring that both the children were dead. He died, *s.p.*, at Drimmie 16 July 1758.

The succession to the Peerage then opened to the representative of the youngest son of the first Lord Kinnaird.

GEORGE KINNAIRD (*see ante*, p. 210). He was interred in the Canongate 2 March 1703. He married Margaret Maitland, who died in the Canongate January or February 1735: testament confirmed 9 January 1736 and 30 August 1737.[2] They had issue:—

GEORGE KINNAIRD, who married, first, his cousin Helen Gordon, daughter of Charles, second Earl of Aboyne. By her he had issue:—

1. *George*, one of the executors of his grandmother Margaret Maitland's will. He must have died before July 1758.
2. CHARLES, who succeeded as sixth Lord Kinnaird.
3. *Margaret*.

He married, secondly, Anne, or Susanne, Gordon, and had by her one son:—

4. *George* (*secundus*), also an executor of his grandmother's will.

[1] *Decreets Commissary Court of Edinburgh*; Riddell's *Peerage Law*, ii. 555. [2] Edin. Tests.

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VI. CHARLES, sixth Lord Kinnaird. He died at Drimmie 2 August 1767, having married Barbara, eldest daughter of Sir James Johnstone, third Baronet of Westerhall. She, who was born 28 July 1723, died at Fountainbridge, Edinburgh, 21 October 1765.[1] They had issue:—

1. GEORGE, seventh Lord Kinnaird.
2. *Patrick*, entered the service of the Hon. East India Company, and died in Bengal July 1771.
3. *Helen*, married to the Rev. Edward Dana, and died at Shrewsbury 21 April 1795.
4. *Elizabeth*, died unmarried, at Edinburgh, 13 September 1769.
5. *Margaret*, married, 30 June 1779,[2] to Thomas Wiggons, M.P. for Okehampton. He died 18 January 1785; she survived till 18 June 1800.

VII. GEORGE, seventh Lord Kinnaird, was elected a Representative Peer for Scotland in March 1787, and sat in Parliament as such till 1790, but he was not again elected. He was a banker in London, and chairman of the British Fire Office there. He was a great art collector, and began the fine art collection at Rossie, largely purchased at the dispersal of the pictures belonging to the Regent Orleans in 1792. He died unexpectedly at Perth, from the effects of a chill, 11 October 1805. He married, 22 July 1777,[3] Elizabeth, daughter of Griffin Ransom, banker, London. She only survived her husband ten days, dying, it is said, of grief for his loss, at Ballindean, 21 October 1805. They had issue:—

1. *George William Ransom*, born in London 9 May 1778,[4] and died before majority.
2. CHARLES, eighth Lord Kinnaird.
3. *Henry*, born 6 September 1782,[5] died 21 July 1786.
4. *Edward Griffin*, born 2 January 1784, died at Ealing, 26 February 1803.
5. *Douglas James William*, born 26 February 1788,[6] became the managing partner in his grandfather's bank, Ransom and Co. He was in Parliament for a short

[1] Funeral Entry in Lyon Office. [2] *Scots Mag.* [3] *Ibid.* [4] *Ibid.* Both Douglas and the *Scots Compendium* say that he died 12 February 1799, in his twenty-first year, but the *Scots Magazine* gives the birth on 12 April 1780 as that of a 'son and heir.' [5] *Scots Mag.* [6] *Ibid.*

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time, and was a conspicuous figure in the social, political, and literary life of London. He was an intimate friend of Lord Byron, whom he visited at Venice in 1817; he was also a warm friend of Sheridan, and was one of the committee which managed Drury Lane theatre in 1815. He died, after a long illness, at the age of forty-two, 12 March 1830.

6. *Frederick John Hay*, born 30 May 1789,[1] died in 1814.
7. *Eliza*, born 13 May 1781; married, as his second wife, 25 March 1823, at Edinburgh, her cousin, Edward Wadding Plunkett, fourteenth Lord Dunsany. She died, *s.p.*, 30 April 1864 in London.
8. *Georgina Mary Anne*, born 25 October 1786; married, in 1814, as his second wife, Admiral Sir George Johnston Hope, K.C.B. She died 16 December 1848.
9. *Laura Margaretta*, born 6 October 1791; died at Madeira 29 March 1810.
10. *Amelia Barbara*, born 5 November 1793; died 9 January 1795.

VIII. Charles, eighth Lord Kinnaird, was born 12 April 1780.[2] He was educated at the Universities of Edinburgh, Glasgow, and Cambridge. While at the former he was a member of the Speculative Society, along with a brilliant *coterie* of the young men of the day, including Brougham, Henry Petty, afterwards Marquess of Lansdowne, Francis Jeffrey, Francis Horner, and many others who afterwards rose to eminence. Kinnaird entered the House of Commons as member for Leominster in 1802, but the sudden death of his father and his consequent accession to the title removed him to the Upper House after three years. But he did not continue to take an active interest in politics, though he was a Representative Peer for six months, from December 1806 to July 1807. He spent much time abroad, and added largely to that art collection which his father had begun. He also built the present house of Rossie Priory on the lines originally projected by his father. He died 12 December 1826, aged forty-three, having married, 8 May 1806, Olivia Laetitia Catherine, youngest daughter of William Robert Fitzgerald, second Duke of Leinster.

[1] *Scots Mag.* [2] *Ibid.*

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She, who was born 9 September 1787, died at Bath 28 February 1858. They had issue:—

1. GEORGE WILLIAM FOX, ninth Lord Kinnaird.
2. *Graham Hay St. Vincent de Ros*, born 27 October 1811, was a lieutenant in the Royal Navy, and was accidentally drowned in the Mediterranean while in command of H.M. Brig *Rapid* off Bona 14 April 1838.
3. ARTHUR FITZGERALD, tenth Lord Kinnaird.
4. *Olivia Cecilia Laura*, born 4 October 1808; died, unmarried, 5 September 1899.
5. *Frederica Eliza*, born 3 April 1810; married, 16 August 1838, as his first wife, Admiral Sir James Hope, G.C.B. She died *s.p.* 27 May 1856.

IX. GEORGE WILLIAM FOX, ninth Lord Kinnaird, was born 14 April 1807, and succeeded to the title when he was nineteen. He devoted much attention to the management of his estates and was skilled in agriculture. He was a Freemason, and was Grand-Master of Scotland 1830-31. He was Master of the Buckhounds 1839-41; a Privy Councillor 1840; a Knight of the Order of the Thistle 6 July 1857; and Lord-Lieutenant of Perthshire 1866-78. On 20 June 1831 he was created BARON ROSSIE OF ROSSIE, co. Perth, in the Peerage of the United Kingdom; and on 1 September 1860, his own male issue having failed, he was created BARON KINNAIRD OF ROSSIE in the same Peerage, with a specific remainder, failing heirs-male of his own body, to his brother Arthur and the heirs-male of his body. He died at Rossie 7 January 1878, when the Barony of Rossie of 1831 became extinct. He married, 14 December 1837, at Great Canford, Dorset, Frances Anna Georgiana, born 28 July 1817, daughter of William Francis Spencer Ponsonby, first Baron de Mauley of Canford, and had issue:—

1. *Victor Alexander*, Master of Kinnaird, born 13 May 1840, died 8 October 1851.
2. *Charles Fox*, Master of Kinnaird, born 5 June 1841, died, 30 March 1860, of fever at Naples.
3. *Olivia Barbara*, born 22 January 1839; died 6 August 1871, having been married, 27 July 1859, to Sir Reginald Howard Alexander Ogilvy, Baronet, A.D.C. to Queen Victoria.

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X. Arthur Fitzgerald, tenth Lord Kinnaird, was born 8 July 1814, and was originally christened Arthur Wellesley, after the great Duke. The political views of the latter, however, not being to the mind of Lord Kinnaird's father, he caused his son to alter his second name to Fitzgerald. But the Duke had a great friendship with and a high esteem for his godson. As a young man Lord Kinnaird was an attaché to the Embassy at St. Petersburg 1835-37; but thereafter he left the diplomatic service and entered his great-grandfather's bank, Ransom and Co., of which he occupied the position of manager for fifty years. He sat in Parliament for Perth 1837-39 and 1857-78, when he succeeded to the Peerage. He died 26 April 1887, having married, 28 June 1843, Mary Jane, daughter of William Henry Hoare of Mitcham Grove, Surrey. She died 1 December 1888, having had issue:—

1. Arthur Fitzgerald, eleventh Lord Kinnaird.
2. *Mary Louisa Olivia*, who died an infant in 1846.
3. *Frederica Georgiana*, born 4 May 1845; married, 27 December 1870, to Alfred Orlando Jones, M.D., who died 1896, leaving issue.
4. *Louisa Elizabeth*, born 1 November 1848.
5. *Augusta Olivia*, born 5 June 1850; married, 7 January 1874, to Roland Yorke-Bevan, with issue.
6. *Gertrude Mary*, born 29 November 1853.
7. *Emily Cecilia*, born 20 October 1855.

XI. Arthur Fitzgerald, eleventh Lord Kinnaird, born 16 February 1847; educated at Eton and Trinity College, Cambridge; a partner in Barclay, Ransom and Co., Bankers, London; hon. colonel Tay Division Submarine Miners, R.E. (V.), from 1903. In 1907 Lord High Commissioner to the Church of Scotland. Married, 19 August 1875, Mary Alma Victoria, born 2 September 1854, fifth daughter of Sir Andrew Agnew, eighth Baronet, of Lochnaw, by whom he has issue:—

1. Douglas Arthur, Master of Kinnaird, born 20 August 1879; lieutenant Scots Guards.
2. *Kenneth Fitzgerald*, born 31 July 1880; married, 25 June 1903, his cousin, Frances Victoria, youngest daughter of Thomas Henry Clifton of Lytham, and has issue.

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3. *Noel Andrew*, born 3 September, died 4 November 1883.
4. *Arthur Middleton*, born 20 April 1885.
5. *Patrick Charles*, born 4 December 1898.
6. *Catherine Mary*, born 13 June 1876; died 28 April 1886.
7. *Margaret Alma*, born 27 January 1892.

Creations.—28 December 1682, Lord Kinnaird of Inchture, in the Peerage of Scotland. 20 June 1831, Baron Rossie of Rossie; 1 September 1860, Baron Kinnaird of Rossie, both in the Peerage of the United Kingdom.

Arms (recorded in Lyon Register).—Quarterly: 1st and 4th, or, a fess wavy between three mullets gules, as a coat of augmentation for the title of *Lord Kinnaird of Inchture*; 2nd and 3rd, gules, a saltire between four crescents or, for *Kinnaird*.

Crest.—A crescent arising from a cloud having a star issuing from between the horns thereof, all within two branches of palm disposed in orle proper.

Supporters.—Two naked men wreathed about the loins with oak leaves, their supporting hand being chained, and with the other holding out a garland of laurel.

Mottoes.—*Sine Phœbo lux. Qui patitur vincit.* Afterwards altered to *Errantia lumina fallunt* and *Certa cruce salus.*

[A. S. C.]

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Kinnoull

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HAY, EARL OF KINNOULL

DAVID DE HAYA, second of Erroll, had three sons:—

1. *Gilbert*, ancestor of the Earls of Erroll.
2. WILLIAM, of whom below.
3. *David*, parson of Erroll.[1]

WILLIAM DE HAYA, had from his brother Gilbert a charter of two carucates of land in Erroll, which was confirmed by Alexander III., 29 April 1251.[2] These lands were afterwards called Leys, and are still in possession of William's descendants. From him descended Edmund Hay of Leys, who had two sons:—

1. *Edmund*, who had a precept of clare constat as heir of Edmund Hay of Leys, 18 June 1472.[3] He continued the family of Leys, now represented by Edmund Paterson-Balfour-Hay, of Leys, Carpow, and Randerstone.
2. PETER, of whom below.

PETER HAY, first of Megginch, who was alive 25 February 1491-92, when he and his eldest son are bailies in a precept of sasine by William, Earl of Erroll, in favour of Peter, son

[1] *Supra*, vol. iii. p. 557. [2] Copy in Register House of original, formerly in Leys Charter-chest. [3] Leys Charters.

and apparent heir of Edmund Hay of Leys.[1] He died before 15 November 1496,[2] leaving issue:—

1. EDMUND, of whom below.
2. *William*, a substitute, along with his elder brother, in a charter of Leys to Peter Hay of Leys, 15 November 1496.[3] He is said to have been ancestor of the Hays of Lochloy, Nairnshire.[4]

EDMUND HAY of Megginch succeeded before 1496.[5] He was bailie of Erroll.[6] He was named as one of the tutors to William, sixth Earl of Erroll, who died a minor.[7] He was a substitute in the entail of the lordship of Erroll granted to George, seventh Earl, 5 December 1541, and also in that of Slains on 13 December in the same year.[8] He married Janet Boyd,[9] and died in 1542 or 1543.[10]

PETER HAY of Megginch, son of Edmund, had sasine along with Margaret Crichton, his wife, of lands in Aberdeenshire, on his father's resignation, 10 October 1542.[11] He was of Megginch 30 November 1543.[12] He had a charter from Grizel Anderson of certain lands of Inchconnan to himself and his wife and his son Peter and his wife 12 May 1554.[13] He died 1565, having married Margaret, daughter of John Crichton of Ruthven, and had issue:—

1. PETER.
2. *Sir James* of Kingask. He had a grant of the rents and feus of the lands of Grange and Grangemuir, co. Haddington, 25 June 1606,[14] and another of the priory of Beauly 10 May 1607.[15] He was appointed Comptroller of Scotland 1608, and died in 1610. He married Margaret, daughter of John Murray of Polmaise, and had issue:—

   (1) *Sir James*, born at Pitcorthie about 1580, became a naturalised Englishman, and was created, 14 May 1604, Lord Hay, without, however, a seat in the Upper House. On 29 June 1615 he was created Baron Hay of Sawley, co. York; on 5 July 1618 Viscount Doncaster, and on 13 September 1622 Earl of Carlisle. He held many court appointments, and

[1] Leys Charters. [2] *Ibid.* [3] *Ibid.* [4] Genealogy of Hay of Leys. [5] See above. [6] Slains Charters. [7] *Reg. Mag. Sig.*, 1 April 1527. [8] *Ibid.* [9] Slains Charters. [10] See below. [11] Copy in Slains Charter-chest. [12] Leys Charters. [13] Confirmed 3 April 1555, *Reg. Mag. Sig.* [14] *Ibid.* [15] *Ibid.*

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served frequently on embassies. He was made a K.G. 31 December 1624, and Governor of the Carribee Islands 2 July 1627. He died at Whitehall 25 April 1636, and was buried in St. Paul's. He lived a very jovial life, and is said to have spent above £400,000. He married, first, 6 January 1603-4, Honora Denny, daughter of Edward, Earl of Norwich, and secondly, 6 November 1617, Lucy, daughter of Henry Percy, Earl of Northumberland, a famous beauty of her day.

(2) *Robert*, Gentleman of the King's Chamber, and in 1618 Master of the King's Robes.[1]

3. *Edmund*, first Rector of the Scots College at Pont-à-Musson. He was Provincial of the French Jesuits in 1574, and was proclaimed as a rebel.[2] The minutes of the Privy Council are full of references to proceedings against him and other agents of the Roman Church in Scotland.[3]
4. *Katherine*, married, first, to Robert Moncur of Balluny, from whom she had a grant of a quarter of the lands of Easter Balluny in liferent 9 November 1550,[4] and, secondly, to George Drummond of Blair. She had a grant to herself, her husband, and her younger son George Drummond, of the fishings on the Erecht 29 September 1570,[5] and another to herself and her husband and their son Henry of the lands of Middle Drymmeis and others 7 February 1588-89.[6] She is mentioned as wife of George Drummond of Blair, and relict of Robert Moncur de Balluny in a charter of 22 August 1590.[7]
5. *Jane*, married to Patrick Murray of Ochtertyre.

Peter Hay of Megginch, eldest son of the last, is styled apparent of Megginch, 28 January 1564-65,[8] and now of Megginch, 3 December 1565.[9] He witnessed a charter as Peter Hay of Megginch, Chamberlain of the monastery of Scone, 6 April 1569.[10] He had, with his wife, a charter from George Balfour, the Commendator of the Charter-house of Perth, of the lands of Murage and the ecclesiastical lands of the parish church of Erroll in 1569.[11] He died 10 September 1596.[12] He married, before 12 May 1554,

[1] *Reg. of Deeds*, cclviii. 207; *Cal. S. P. Dom.* 1611-18, 514. [2] *P. C. Reg.*, iv. 334. [3] *Ibid.*, iii. *passim*, Spottiswoode's *Hist.*, 463. [4] Confirmed 13 November, *Reg. Mag. Sig.* [5] Confirmed 12 May 1587. [6] *Ibid.* [7] Confirmed 14 June 1592, *Ibid.* [8] *Acts and Decreets*, xxxix. 204. [9] *Reg. of Deeds*, viii. 180. [10] Confirmed 24 November, *Reg. Mag. Sig.* [11] Confirmed 19 December 1569, *Ibid.* [12] Edin. Tests.

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Margaret, daughter of Patrick Ogilvy of Inchmartin, and had issue:—

1. *Patrick Hay* of Megginch, denounced along with his brother Peter and others, 6 May 1589, as rebels for the non-appearance to answer 'tuiching the allegeit practize leading to the subversioun of the trew religioun and perelling of his Hienes persone and estate.'[1] He married, first, Isabel, elder daughter and co-heir of Patrick Bryson of Pitcullane;[2] secondly, Elizabeth, daughter of Patrick Cheyne of Essilmont.
2. GEORGE, of whom afterwards.
3. *Peter*, denounced with his brother as a rebel as above. See notice later (p. 229).
4. *William*, who appears as a witness to the aftermentioned charter to his sister.
5. *Janet*, married to Andrew Gray of Balledgarno.[3]
6. *Elizabeth*, married, first (contract 18 April 1587), to Gilbert Gray of Bandirran, brother of Patrick, Lord Gray. They had a charter from her father of an annualrent of three hundred merks from the lands of Inchconnan, in full of her dowry of three thousand merks, 16 December 1588.[4] She was married, secondly, to William Rollock of Balbegie,[5] and died 1 April 1600.[6]
7. *Katherine*, married to William Kynman of Hill.[7]

I. GEORGE HAY, the second son, was admitted to the Scots College, Pont-à-Musson, about 1588,[8] under his uncle Edmund. Returning home about 1596, he was introduced at court by his cousin Sir James Hay of Kingask. Under such favourable auspices his advance was rapid. He was appointed one of the Gentlemen of the Bedchamber, and on 1 February 1598-99 he was made Prior and Commendator of the Charter-house, with a seat in Parliament, and on the same date he had a charter of the ecclesiastical lands of Erroll.[9] For his services to the King on the occasion of the Gowrie conspiracy he had a charter, 15 November 1600, of the lands of Netherliff, which

[1] *P. C. Reg.*, iv. 380. [2] *Reg. of Deeds*, viii. f. 247. [3] *Ibid.*, 27, 126. [4] Confirmed 28 June 1589, *Reg. Mag. Sig.* [5] *Reg. of Deeds*, 213, 150. [6] Edin. Tests. [7] *Reg. of Deeds*, 213, 150; *Gen. Reg. Sas.*, ix. f. 249. [8] Scots Colleges, New Spalding Club. [9] *Reg. Mag. Sig.*

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were in the hands of the King by reason of the forfeiture of the Earl of Gowrie,[1] though it may be noted that he is styled 'of Netherliff' in the charters of 1598-99 above mentioned. He had a feu charter of Nether Liff to him and Margaret Haliburton, his spouse, 15 November 1595.[2] He was one of the undertakers for the plantation of the Lewis in 1605, an enterprise which ultimately proved unsuccessful.[3] As Sir George Hay, *miles*, he had, along with Lord Balmerino and Spens of Wormeston, on 18 October 1607, a charter of the lands and barony of Glenelg and others on the forfeiture of Rory M'Leod,[4] and others of Lewis and the Castle of Stornoway and certain lands in Skye. Other lands in the same district were granted to him on 15 November 1609 and 24 July 1610.[5] On 17 March 1614 he had a charter from Sir Robert Crichton of Cluny of an annualrent of two thousand merks from the barony of Reidcastle-Coughoillis *alias* Inverkeillour, co. Fife.[6] On 26 March 1616 he was admitted a member of the Privy Council, and appointed Lord Clerk Register.[7] On 28 May of the same year he and two others had a grant of the right of exporting coal,[8] and was appointed one of the Commissioners for the King's rents 4 December 1616.[9] It is stated, as an indication of the attitude he took in Church politics, that he took the communion 'after the English form' at Holyrood on 8 June 1617, and again on the next Easter Sunday.[10] He was a member of the Prince's Council in 1619, and was instrumental in carrying through Parliament the ratification of the 'Five Articles' of the General Assembly held at Perth the previous year.[11] He was appointed a member of the Special Cabinet within the Council.[12] On 20 July 1620 he had a charter of the lands and barony of Pitsindie, including Kinfauns and others, and the hereditary keepership of the Tay, together with the right in connection with that office, to himself and his heirs, of getting one salmon annually from each boat; the lands were all erected into the barony of Kinfauns.[13] On 15 May 1622 he had a charter of the lands of Innernyte, and on 28 August following

[1] *Reg. Mag. Sig.*; *Acta Parl. Scot.*, iv. 215. [2] Gray Inventory. [3] *P. C. Reg.*, vii. 88, 89, 256; Spottiswoode, 490, 491. [4] *Reg. Mag. Sig.* [5] *Ibid.* [6] Confirmed 13 July 1620. [7] *P. C. Reg.*, x. 483. [8] *Reg. Mag. Sig.* [9] *P. C. Reg.*, x. 676. [10] Calderwood's *Hist.*, vii. 246. [11] *P. C. Reg.*, xi. 557 *note*. [12] *Ibid.*, x. 604. [13] *Reg. Mag. Sig.*

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another of Craigtoun and others, which were erected into a barony.[1] On 9 July 1622 he was appointed Lord Chancellor and Keeper of the Great Seal in succession to the Earl of Dunfermline.[2] He was one of the Commissioners for the plantation of Nova Scotia 19 July 1625,[3] and got the tacks of the lands of the earldom of Orkney and Shetland transferred to him from Sir John Buchanan.[4]

On 7 May 1625 he was at the funeral of King James in London,[5] and was sworn one of the Scottish Privy Council of the new King.[6] He had a charter of the baronies of Aberdalgie and Dupplin 29 July 1626.[7] He was created a Peer under the title of VISCOUNT DUPPLIN and LORD HAY OF KINFAUNS, with remainder to the heirs-male of his body, 4 May 1627.[8] As he was Keeper of the Great Seal at the time, it was specially provided, 'for the removing all questions that may be moved thereanent,' that his patent should be sealed with the Privy Seal.[9] Lord Dupplin, already the possessor of many broad acres, lost no opportunity of adding to them. On 18 January 1628 he had a charter of the lands of Hedderwick in East Lothian, and another from Alexander, Lord Spynie, to himself and the Earl of Kinghorn, equally between them, of the barony of Spynie 6 August 1627.[10] On 17 February 1629 he had a grant for the lives of himself and his son, the Master of Dupplin, of the office of Collector General of Taxes.[11]

By this time he was getting old and infirm. He had 'the pain of the gute' very severely in 1626, and was absent from the Council in July on account of it,[12] and two years afterwards there is allusion to his 'notour and known infirmitie and seekenesse.'[13] But he still pursued his career of acquisitiveness. On 14 July 1632 he had a grant of the great house in Perth which had belonged to the Earl of Gowrie, on the resignation of Lord Crichton of Sanquhar. It was in this house that he sheltered Crichton of Frendraught after the burning of his house in October 1630, which shows that he must have had possession of Gowrie's residence some time before he got the present grant of it. For this action he was stated by the Privy Council to have

[1] *Reg. Mag. Sig.* [2] *P. C. Reg.*, xiii. 14, 22. [3] *Reg. Mag. Sig.* [4] *P. C. Reg.*, xiii. 723. [5] *Ibid.*, 2nd ser., i. 33. [6] *Ibid.*, 249. [7] *Reg. Mag. Sig.* [8] *Ibid.* [9] *P. C. Reg.*, 2nd ser., i. 610. [10] Confirmed 18 January 1628, *Reg. Mag. Sig.* [11] *Ibid.* [12] *P. C. Reg.*, 2nd ser., i. 328. [13] *Ibid.*, ii. 292.

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done good and acceptable service to His Majesty.[1] On 7 September 1632 he had a charter of novodamus of the lands of Ballegarno, Abernyte, the barony of Kinnoull and others on the resignation of Lord Crichton of Sanquhar; and the crowning point of his career was reached on 25 May 1633, when he was created EARL OF KINNOULL, VISCOUNT DUPPLIN, and LORD HAY OF KINFAUNS, with remainder to his heirs-male. He did not long survive his elevation to this dignity; after a long life of eminent public service, he died of apoplexy in London 16 December 1634,[2] and was buried on 19 August 1635 at Kinnoull, where a 'sumptuous monument' was erected to his memory in the church. The latter has entirely disappeared, but the monument, a florid example of sixteenth century art, still stands in what was formerly the aisle attached to the church.[3] The Earl married, before 15 November 1595, Margaret, daughter of Sir James Haliburton of Pitcur, and widow of Patrick Ogilvie, younger of Inchmartin.[4] She died 4 April, and was buried at Kinnoull 7 May, 1633. They had issue:—

1. *Peter*, who had a charter, 8 January 1602, of the church lands of Erroll,[5] another of the lands of Duninald 23 May 1611, which he resigned in favour of Robert Lychtoun of Ullishaven 8 July 1613.[6] He died *vitâ patris* at Kinfauns 1621, unmarried.
2. GEORGE, second Earl of Kinnoull.
3. *Margaret*, married to Alexander Lindsay, Lord Spynie.

II. GEORGE, the second son, who became the second Earl, had a charter of the lands of Tullihow, in the barony of Kinfauns, 26 March 1622.[7] On 19 October of the same year he and his wife had a charter from his father of the lands of Innernyte. He resigned these lands sometime afterwards in favour of his cousin Peter Hay of Megginch, who got a charter of them from the King 9 August 1630, had them then erected into a barony, and, 23 October following, reconveyed them to the Master, all probably in accordance with some arrangement in the marriage-contract, in which Peter Hay was doubtless a trustee.[8] On 16 April 1636 the

[1] *P. C. Reg.*, iv. 49, 50. [2] The *Staggering State* gives 25 November as the date. [3] MacGibbon and Ross's *Ecclesiastical Architecture of Scotland*, iii. 580. [4] *Reg. Mag. Sig.*, 8 January 1611. [5] *Ibid.* [6] *Ibid.* [7] *Ibid.* [8] *Ibid.*

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Earl had a charter of feu-farm from the chapter of St. Andrews of the kirklands of Dalquhoroquhy in the parish of Forteviot.[1] On 7 March 1643 he had a joint grant, along with the Earl of Kinghorn, of the lands of Tyrie and others near Kinghorn, and of the baronies of Kinross and Segy, all on the resignation of the Earl of Morton.[2]

As a young man the Earl saw some military service. He commanded the Earl of Morton's regiment in the Dutch service when it took part in the siege of Bois le Duc in 1629.[3] He did not consider himself well treated in this service, and there are many complaints as to arrears of pay. There were two captains in the regiment named James and William Hay who may have been relatives.

The Earl lived principally in England, and was a staunch adherent of King Charles I. He was a member of the Privy Council, and Captain of the Yeomen of the Guard from 1632 to 1635. He refused to sign the Solemn League and Covenant in 1643. He died at Whitehall 5 October 1644, and was buried at Waltham Abbey 8 October. He married (contract dated at Perth and Newhouse of Lochleven 7 September 1622), Ann, eldest daughter of William Douglas, Earl of Morton.[4] She survived him, and was buried in her husband's tomb 6 December 1667.[5] By her he had issue:—

1. George, third Earl.
2. William, fourth Earl.
3. *James*.[6] 4. *Robert*.[7]
5. *Peter*, baptized 11 June 1632.[8]
6. *Charles*. He had a renewal for thirty-one years of a monopoly for the manufacture of glass.[9] Buried in Holyrood Church 11 September 1663.[10]
7. *Anna*.
8. *Margaret*.[11] A pension of £150 sterling was granted to her 12 March 1696.[12]
9. *Mary*, born at Perth 15 May 1633; married, 6 February 1662, to George, eighth Earl Marischal, and died at Fetteresso 10 November 1701.[13]

[1] Confirmed 12 December 1636, *ibid.* [2] *Ibid.* [3] *Scots Brigade in Holland*, i. 311. [4] *Reg. Mag. Sig.*, 9 October 1622. [5] *Chronicle of Perth*, 48. [6] *Aberdeen Sas.*, i. 203; *Gen. Reg. Hornings*, 7 March 1671. [7] Ms. Cat., Lyon Office. [8] Canongate Register. [9] *P.C. Reg.*, 3d series, i. 155. [10] Canongate Register. [11] The names and order of the daughters are from *Privy Seal*, English Reg., ii. 142. [12] *Privy Seal*, English Reg., v. 70. [13] *Chronicle of Perth*, 45.

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10. *Elizabeth.*
11. *Jean.*
12. *Catherine*, born at Perth 11 September 1641; married, 16 February 1670, to James Baird, younger of Auchmedden, who predeceased his father, Sir James Baird, in 1681, aged thirty-one. She died at Auchmedden 11 January 1733.[1]

III. GEORGE, third Earl of Kinnoull, is not given by the Peerage writers, but there is undoubted evidence for his existence, and for some facts in his career. He accompanied Montrose to the north, and was with him at Crathes in his Aberdeen expedition after the battle of Tippermuir in 1644.[2] In 1645 the process against him and his servants was stopped; he had had Argyll's pass. He apparently then went to France, from which country he was allowed, on his mother's petition, to be brought, in order to be 'bred and brocht up as his ain son,' by his magnificent cousin the Earl of Carlisle.[3] Before long he was again abroad, as the Queen of Bohemia writes to Montrose at the Hague from Bohemia, 4/14 August 1649, saying, 'I am a good archer to shoot with my Lord Kinnoull.'[4] Kinnoull must have come over to Orkney with a slender force for Montrose's service very shortly after the date of the Queen's letter; his uncle, the Earl of Morton, had considerable property there, and it was from Orkney—probably from Kirkwall Castle—that Kinnoull wrote, in September 1649, an earnest and enthusiastic letter to Montrose telling him that he 'is gapt after with that expectation that the Jews look after their Messia.'[5] Misfortune was not far from all this gallant band. On 12 November 1649 Morton died at his Castle of Kirkwall 'of a displeasure conceived at his nephew George, Earl of Kinnoull.' Balfour says[6] there had no doubt been some variance between them, Morton thinking himself slighted because commissions had been conferred on his nephew which he thought he should have got. The matter, however, had apparently been amicably settled by the graceful

[1] *Gent.'s Mag.* [2] Evidence by the Master of Spynie in Montrose Charter-chest, printed in *Memorials of Montrose*, i. 169. [3] *Deeds of Montrose*, 63 *n.*; *Acta Parl. Scot.*, vi. pt. i. 501. [4] *Memorials of Montrose*, i. 389. [5] *Ibid.*, 394. [6] *Annals*, iii. 433.

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concession of the younger man,[1] and Balfour's statement as to the cause of Morton's death is hardly likely to be true. But disaster followed upon disaster, and scarcely had the uncle died than the nephew followed. There are several independent chronicles of his death. Captain John Gwynne says, 'About two months after the Earle of Kynoole fell sick at Bursay, the Earl of Morton's house, and there died of a pleurisy; whose loss was very much lamented, as he was truly honourable and perfectly loyal.'[2] Gordon of Sallagh dates his death as having taken place very shortly after that of Morton's: 'Presentlie thereafter the Earl of Morton dyed, and within a fewe dayes Kinnoul dyed also at Kirkwall in Orkney, unto whom his brother succeeded.'[3] Lamont records his death in March 1650, but whether this is to be taken as the actual date of his death, or the date at which Lamont first heard of it, is not clear.[4] It may be noted, however, that Morton is generally said to have died late in 1649; if Kinnoull died only a few days after him, he must have died not later than early in January 1650. Now it is certain that the General Assembly believed him to be alive on 21 February 1650, as on that day George, Earl of Kinnoull, Henry Stewart, son to the Laird of Maynes, George Drummond, son to the Laird of Balloch, and Captain Hall were solemnly excommunicated for the invasion of Orkney and for 'horrid and perfidious conspiracies against the Solemn League and Covenant.'[5] Whatever the exact date of his death may have been, he was succeeded by a brother, and it has been stated that a holder of the title, whose Christian name is unknown, came between George, third Earl, and William his brother, and subsequent successor. But for reasons stated below, there seems no reason to doubt that at the death of Earl George the title immediately devolved on his brother William.

IV. William, fourth Earl of Kinnoull. Lord Napier, writing from Brussels, 14 June 1648, says, 'At my parting from France there went in my company above fifty men that did belong to my Lord Montrose; amongst which was

[1] *Memorials*, i. 394. [2] *Memoirs of Captain John Gwynne*, edited by Sir Walter Scott. [3] *History of the Earls of Sutherland*, 550. [4] *Diary*, 14. [5] *Gen. Ass. Commission Records*, Scot. Hist. Soc., ii. 366.

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Monsieur Hay, Kinnoull's brother, and severall others of good quality.'[1] He is supposed to have followed his brother to Orkney with another party of recruits; and Ogilvy of Powrie writes, on 3 March 1650, to the effect that 'if this Lord Kynnoull had not cum tymouslie over with that last recreut, thair follie haid brock the verie small beginningis of his Majesties service."[2] If Gordon of Sallagh is to be believed, he accompanied Montrose in his last weary wanderings, when fatigue and exhaustion proved fatal to him. Montrose, in a peasant's garb, endeavoured, after his defeat at Carbisdale on 27 April 1650, to make his way to the western coast, where he was ultimately captured by Macleod. Before the end, the Earl of Kinnoull, who accompanied him, 'being faint,' says Sallagh, 'for lack of meat, and not able to go any further, was left there among the mountains, where it was supposed he perished.'[3] But Sallagh is the only authority for the supposed death of the Earl, and he does not speak with much certainty about it. It may be noted, too, that there is a total absence of any allusion to the fate of the Earl in the very interesting account of Montrose's flight by Melbourne.[4] On the whole, there is no independent evidence of Sallagh's story; it is possible that Kinnoull may have been the companion of Montrose at Carbisdale, and have escaped the fate indicated above. What is certainly known of him is that he was with Montrose at Philiphaugh, saved one of the standards there, and after much difficulty and many adventures succeeded in restoring it to his leader. He continued to be faithful to the royal cause, and in 1653 was in command of the Horse of the shires of Angus, Caithness, Sutherland, Ross and Moray.[5] In December of that year a detachment of Horse commanded by him was defeated near Glamis, and he himself taken prisoner,[6] and committed to ward in Edinburgh Castle. From that fortress he, along with some others, succeeded in escaping in May 1654,[7]

[1] *Memorials*, i. 309. [2] *Ibid.*, i. 414. [3] *Hist. of the Earls of Sutherland*, 555. [4] Scot. Hist. Soc. *Miscellany*, i. 221-225; see also Mr. S. R. Gardiner in the *Athenæum*, 11 November 1893 and *Edinburgh Review*, January 1894; there is some correspondence on the subject in *Notes and Queries*, 6th Series, v. 191, 192. [5] *Scotland under the Commonwealth*, Scot. Hist. Soc., 290. [6] *Ibid.*, 302 *n.* [7] *Scotland and the Protectorate*, Scot. Hist. Soc., 113.

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and joined the second Marquess of Montrose, being with him when he inflicted a severe defeat on Argyll at the Wood of Methven in June 1654.[1] On 23 November Kinnoull sustained another defeat at the hands of Captain Lisle of Colonel Rich's regiment, and was again taken prisoner,[2] and again succeeded in escaping.[3] Upon the death of his cousin, the Earl of Carlisle, he succeeded him in the proprietorship of the island of Barbadoes (which had been granted to Carlisle by King Charles I.), but sold it to the Crown in 1661. He died 28 March 1677, and was buried, 27 May, in Waltham Abbey. He married, first, Mary Brudenell, daughter of Robert, second Earl of Cardigan. She was born 7 January 1636, at Deane, co. Northampton, and died in or before 1665, in which year her will was proved, without issue. The Earl married, secondly, Catherine, eldest daughter and co-heir of Charles Cecil, Viscount Cranbourne, son and heir-apparent of William, second Earl of Salisbury. She died about 1683 (will proved 24 November 1683), leaving issue:—

1. George, fifth Earl.
2. William, sixth Earl.

V. George, fifth Earl of Kinnoull, who succeeded his

[1] *Scotland and the Protectorate*, Scot. Hist. Soc., 115. [2] *Ibid.*, 215.

[3] There are some difficulties connected with Kinnoull's captures. In the work above alluded to there is a letter from Monck to the Protector, of date 30 May 1654, in which he says: 'There is of late 13 prisoners broke out of a prison in Edinburgh through the carelesseness of some sentinells and the marshall, and lately out of Edinburgh Castle the Earle of Kinoule, Lieutenant-Colonel Marshall, Laird of Lugton, Lieutenant-Colonel Patrick Hay, and Lieutenant-Colonel Montgomery attempting the like escape broke his necke.' This refers to the escape after the capture of December 1653, and the Colonel Montgomery referred to as having met with a fatal accident was a Colonel George Montgomery (Lamont, 73). On 23 November 1654 Kinnoull was again taken prisoner by Captain Lisle as mentioned in the text. On 17 March 1656-57 Lieutenant-Colonel Mann writes to General Monck, 'I received your Lordship's concerning the escaped prisoners out of Edinburgh Castle, and shall use all diligence to apprehend them,' etc. (*Scotland and the Protectorate*, 352). The names of the escaped prisoners at this time are given in the *Thurloe State Papers*, vi. 81, and include those of Major-General *Robert* Montgomery and the Earl of Kinnoull. Robert Montgomery was the fifth son of Alexander, sixth Earl of Eglintoun, and had been imprisoned in Edinburgh Castle since 1654. He was the companion in Kinnoull's second escape in 1657. He successfully eluded pursuit, and did not die till 1684.

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father in 1667; but dying without issue, in Hungary, in 1687, the title devolved upon his brother,

VI. WILLIAM, sixth Earl of Kinnoull, who entered Douai College 3 June 1685.[1] He accompanied King James VII. to St. Germains after his abdication, but ultimately returned to England, resigned his titles into the hands of Queen Anne, and obtained a charter, 29 February 1704, limiting the honours to himself during his life, and at his death to his kinsman Thomas, Viscount of Dupplin, and the heirs-male of his body, whom failing, to his heirs of tailzie and provision, succeeding him in the lands and barony of Dupplin. It was also declared in the new patent that it should in no way prejudice that granted to the Viscount of Dupplin of his title. The seventh Earl of Kinnoull died unmarried, in London, 10 May 1709,[2] and was succeeded in terms of the re-grant by Thomas, Viscount of Dupplin, descended as undermentioned.

PETER HAY of Rattray, afterwards of Kirkland of Megginch, was the immediate younger brother of George, first Earl of Kinnoull.[3] He had charters, 22 July 1609, of the lands of Lownane and others, co. Forfar,[4] 22 June 1609, of Innernytie, co. Perth,[5] 11 July 1607, of the lands and barony of Carnbaddie, in the same county.[6] He was dead before 29 May 1629.[7] He married Margaret Boyd,[8] and had issue:—

1. *John*, styled eldest son and heir-apparent.[9] Died *v.p.*
2. *George*, married Isobel, daughter of William Rollok of Balbegie (contract 17 February 1618[10]), and is styled 'of Kirkland' by 21 May 1629.[11] Testament confirmed 11 August 1632.[12] He left issue.
3. FRANCIS, of whom presently.
4. *Thomas*, named in the testament of George as brother.
5. *Dr. Patrick*.[13] He was styled of Rattray, married Jean

[1] *Records of the Scots Colleges*, New Spalding Club, i. 57. [2] Neve's *Monumenta*. [3] See charter to Sir George Hay of Kinfauns 9 October 1622, *Reg. Mag. Sig.* [4] *Ibid.* [5] Confirmed 22 February 1610, *ibid.* [6] Confirmed 26 April 1616, *ibid.* [7] *Ibid.*, 25 July 1629. [8] *Ibid.*, 24 August 1617. [9] *Ibid.*, 12 July 1613. [10] *Reg. of Deeds*, 280, 18 January 1619. [11] *Reg. Mag. Sig.*, 25 July 1629. [12] Edin. Tests. [13] *Reg. of Deeds*, 222, 26 May 1614.

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Ogilvy. He died 26 March 1640, and she 19 September 1638.[1]

6. *Agnes*, married to David Rattray of Craighall.[2]
7. —— a daughter, married to Sir Andrew Fletcher of Innerpeffer, a Lord of Session.

Francis Hay was admitted a Writer to the Signet before 1617. He had charters, on 27 September 1625, of the lands and barony of Balhoussie, co. Perth;[3] on 2 April 1632, of the lands of Mochrum, co. Wigtown;[4] on 10 November 1632, of Crugilton Castle, in the same county;[5] on 9 March 1633, of Peel, Latham and others, co. Perth;[6] on 22 August 1642, of the barony of Dupplin;[7] on 7 April 1643, of the barony of Balhoussie, to himself and his son George;[8] and on 28 January 1648, of the barony of Rattray, co. Perth.[9] He was fined in the sum of £2000 sterling by Cromwell's Act of Grace and Pardon 1654.[10] He married, first, 2 July 1618,[11] Jonet, eldest daughter of James Halyburton of Essie and his wife Katherine Cuillane;[12] and secondly (contract dated at Perth 26 April 1637), Elspet, eldest daughter of John Oliphant of Bachilton.[13] He had by the first marriage:—

1. George.
2. *Francis*, baptized at Edinburgh 1 August 1633.[14]
3. *Janet*.
4. *Katherine*.[15]
5. *Beatrix*, married, in 1652 (contract at Dupplin), to George Hay of Megginch; they both died in 1670.
6. *Rebecca*, baptized 18 June 1628,[16] married to George Oliphant, son of John Oliphant of Bachilton.

George Hay of Balhoussie died in October 1672.[17] He married, 28 April 1656,[18] Marion, daughter of Sir Thomas Nicolson of Carnock, Lord Advocate. She was buried in Greyfriars Churchyard, 15 July 1663, and had issue:—

1. *Francis Hay* of Balhoussie, born 28 February 1658,[19] and died unmarried at Paris January 1675.

[1] St. Andrews Tests. [2] *Gen. Reg. Sas.*, i. 37b. [3] *Reg. Mag. Sig.* [4] *Ibid.* [5] *Ibid.* [6] *Ibid.* [7] *Ibid.* [8] *Ibid.* [9] *Ibid.* [10] *Acta Parl. Scot.*, vi. pt. ii. 820. [11] Edin. Reg. [12] *Reg. Mag. Sig.*, 16 January 1630. [13] *Ibid.*, 21 December 1637. [14] Edin. Reg. [15] Daughter given in *Perth Sas.*, vi. 115. [16] Edin. Reg. [17] Dunblane Tests. [18] Edin. Reg. [19] *Ibid.*

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2. THOMAS.
3. *George*, died in France December 1683.[1]

VII. THOMAS HAY of Balhoussie was member of Parliament for the county of Perth 1693-97, and was created, 31 December 1697, VISCOUNT OF DUPPLIN, with remainder to heirs-male of his body, whom failing, to his heirs of entail; he took his seat 23 July 1698,[2] and was one of the Commissioners for the Union. On 10 May 1709 he succeeded, in terms of the re-grant above mentioned, as Earl of Kinnoull, etc. He was elected a Representative Peer in 1710, and again in 1713. Suspected of favouring the rising of 1715, he was imprisoned in Edinburgh Castle. He died 5 January 1719.[3] The Earl married (contract 20 December 1683) Margaret (sometimes called Elizabeth), daughter of William Drummond, first Viscount Strathallan.[4] By her, who died at Kennington 21 March 1695-96,[5] and was buried at St. George's, Southwark, he had issue:—

1. GEORGE, eighth Earl of Kinnoull.
2. *William*, died before 1711 *s.p.*
3. *John* of Cromlix, born 1691, accompanied his brother-in-law the Earl of Mar when he set out in his expedition of 1715; took possession of Perth for King James 14 September 1715. On the collapse of the rising he retired to St. Germains, and was attainted 1716. He was created, by James, on 5 October 1718, Earl of Inverness, Viscount of Innerpaphrie, and Lord Cromlex and Erne. In 1724 he succeeded the Duke of Mar, with whom he had quarrelled, as temporary Secretary of State, an office in which he was confirmed the following year. He was, however, dismissed from it in 1727, owing to the hostility of the Queen, but was, on 3 April, created Baron Hay in the Peerage [Jacobite] of England, and on the next day Duke of Inverness in the Peerage of Scotland. He died *s.p.* 24 September 1740. He married Marjory (contract 2 June 1715[6]), third, but eldest surviving, daughter of David Murray, fifth Viscount Stormont.[7]

[1] Dunblane Tests. [2] *Acta Parl. Scot.*, x. 125. [3] *Political State of Great Britain*, xvii. 123. [4] *Reg. Sec. Sig. Latin*, xv. 239. [5] Orig. letter at Slains. [6] *Perth Sas.*, xvi. 566. [7] Ruvigny's *Jacobite Peerage*, 68.

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4. *Margaret*, born 30 September 1686,[1] married at Twickenham, 6 April 1703, John, Earl of Mar. She died at Dupplin 25 April, and was buried at Alloa 3 May 1707.
5. *Elizabeth*, married, about 1714, to James, Earl of Findlater and Seafield. She died at Dupplin before December 1723.

VIII. GEORGE HENRY, eighth Earl of Kinnoull, born 23 June 1689,[2] was member of Parliament for Fowey, co. Cornwall, in 1710, till he was created, 11 December 1711, BARON HAY OF PEDWARDINE, in the Peerage of Great Britain, being one of the twelve Peers then created to secure a majority in the House of Lords for the Government. On 21 September 1715, being suspected of complicity in Mar's rising, he was imprisoned, but was admitted to bail 24 June 1717. From 1729 to 1734 he was ambassador at Constantinople. He died at Ashford, co. York, 28 July 1758.[3] He married, about 1 September 1709, Abigail, second daughter of Robert Harley, first Earl of Oxford. She died at Brodesworth, co. York, 15, and was buried there 29, July 1750.[4] They had issue:—

1. THOMAS, ninth Earl of Kinnoull.
2. *Robert*, born 10 November 1711; assumed in 1739 the name and arms of Drummond, as heir of entail of his great-grandfather William, Viscount of Strathallan, by whom the estates of Cromlix and Innerpeffray were settled on the second branch of the Kinnoull family. He was educated at Westminster and Christ Church College, Oxford, took holy orders, and was presented to the living of Bothall in Northumberland. In 1737 he was appointed chaplain in ordinary to King George II., and on 7 July 1743 preached before His Majesty at Hanover a thanksgiving sermon after the victory at Dettingen. On his return home he was installed a prebendary of Westminster, consecrated Bishop of St. Asaph 1748, Bishop of Salisbury 1761, and in November of the same year made Archbishop of York, a Privy Councillor and High Almoner. He died at Bishopthorpe 10 December 1776. He married, 31 January 1748, Henrietta, daughter and heiress of

[1] Canongate Reg. [2] *Ibid.* [3] *Scots Mag.* [4] *Ibid.*

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Peter Auriol, merchant, London, and by her, who died 22 April 1763, he had issue:—

(1) ROBERT AURIOL, who succeeded as tenth Earl of Kinnoull.
(2) *Thomas Auriol*, born 7 August 1752, died unmarried, at London, 7 April 1773.
(3) *Peter Auriol*, born 21 January 1754; lieutenant-colonel 5th West York Militia, died from the effects of an accident at Bawtry, co. York, 21 March 1799. He married, 28 November 1775, Mary Bridget, daughter of Pemberton Miles of Bawtry Hall. She married, secondly, as his second wife, 24 May 1803, Robert, Viscount Galway, and died, having had no issue by either husband, 13 November 1835.
(4) *John Auriol*, born 4 July 1756; entered the Navy, and rose to be master and commander, when he was lost off St. Lucia in a storm 11 October 1780.
(5) *Rev. Edward Auriol*, D.D., born 10 April 1758; dean of Bocking, prebendary of York and Southwell, rector of Hadleigh, and one of the chaplains-in-ordinary to King George III. and King George IV.; died 30 December 1829. Married, first, 12 December 1782, Elizabeth, daughter of William, Count de Vismes. She died 14 February 1790, and he married, secondly, 24 March 1791, Amelia Auriol, with issue by both wives.
(6) *Rev. George William Auriol*, born 13 March 1761; canon or prebendary of Ulliskelfe in York Cathedral, rector of Bawmarsh, vicar of Brodesworth and Braithwells, co. York, etc., author of *Verses Social and Domestic*, Edinburgh, 1802. He was lost at sea off the coast of Devonshire, 6 December 1807. He married, first, 12 April 1785, Elizabeth Margaret, daughter of Sir Samuel Marshall of Berry House, co. Southampton, who was born 19 September 1767. She died 15 February 1798. He married, secondly, 18 October 1800, Maria, daughter of John Birbank, leaving issue by both wives.
(7) *Abigail*, born 1750, died at York 1766.

3. *John*, born 1719, rector of Epsworth, co. Lincoln, died 30 June 1751.[1]
4. *Edward*, born 1722; appointed British Consul at Cadiz 1752, Consul-General of Portugal 1754, Envoy-Extraordinary to the Court of Lisbon 1757, Minister Plenipotentiary to the same Court 1762, Governor of Barbadoes 1772, at which station he continued till his death there 21 October 1779.[2] He married, first, in 1752, Mary, daughter of Peter Flower, merchant, London. She died 11 October 1775,[3] and he married, secondly, in Barbadoes, 24 January 1779, Mary Harbourne Barnwell.
5. *Margaret*, died unmarried.

[1] *Gent.'s Mag.* [2] *Scots Mag.* [3] *Annual Reg.*

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6. *Elizabeth*, died unmarried, at Edinburgh, 15 September 1791.[1]
7. *Anne*, died unmarried.
8. *Abigail*, died unmarried, at London, 7 July 1785, aged sixty-nine.[2]
9. *Henrietta*, married, 30 July 1754, to Robert Roper of Muffets, co. Herts, LL.D., Chancellor of the diocese of York, and died without issue, at Oxford, 9 October 1798, aged eighty-one.
10. *Mary*, married, 5 August 1758, to John Hume, D.D., Bishop of Oxford and Salisbury.[3] She died, at Salisbury, 26 August 1805, aged eighty-two.

IX. Thomas, ninth Earl of Kinnoull, was born 4 June 1710; M.P. for Cambridge 1741-58, and Recorder of that town till his death; a Commissioner of the Revenue in Ireland 1741, of Trade 1746; a Lord of the Treasury 1754; Joint Paymaster of the Forces 1755; Chancellor of the Duchy of Lancaster 1758-62; Privy Councillor 1758, in which year he succeeded to his title. He went on an embassy to Lisbon in 1759, and returned home in 1760, retiring from public life in 1762. He was Chancellor of the University of St. Andrews from 1765 till his death, which took place at Dupplin 27 December 1787.[4] He was buried at Aberdalgie. He was among the most distinguished and able men of the day, though Pope has satirised him as the prating *Balbus* in the *Epistle* to Dr. Arbuthnott. He was well known both in literary and political circles, and his practical efforts at usefulness may be yet traced in the bridge over the Tay at Perth, which owes its existence to his support and liberality. He married, 12 June 1741, at Oxford Chapel, Marylebone, Constantia, only daughter and heiress of John Kyrle-Ernlie of Whetham, Wilts. By her he had a son, born at London 12 August 1742, who died 14 October 1743, and she died before her husband's succession to the Peerage, in July 1753, and was buried at Calne.

X. Robert Auriol Hay Drummond, eldest son of the Archbishop of York, succeeded his uncle as tenth Earl of Kinnoull in 1787. He was born 18 March 1751; was sworn

[1] *Scots Mag.* [2] *Ibid.* [3] *Ibid.* [4] *Ibid.*

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a member of the Privy Council 29 April 1796; on 30 September following he was appointed to the then sinecure office of Lord Lyon King of Arms, with reversion, on his death, to his son, the work being performed by deputy.[1] The Earl died at Dupplin 12 April 1804. He married, first, 19 April 1779, Julia, only daughter of Anthony Eyre of Grove, co. Notts. She died *s.p.* 29 March, and was buried 4 April 1780 at Brodsworth. He married, secondly, 3 June 1781, Sarah, fourth daughter and co-heir of the Right Hon. Thomas Harley, Lord Mayor of London 1767-68, brother of the Earl of Oxford. She, who was born 19 October 1760, died 15 February 1837, having issue by her husband:—

1. THOMAS ROBERT, eleventh Earl of Kinnoull.
2. *Francis John*, of Cromlix, born 17 September 1786; ensign 2nd Foot Guards 1804; served in the expedition to Walcheren and in Portugal; was drowned in the river Earn on Sunday 28 October 1810, while attempting to ford it on horseback.
3. *Henrietta*, born 23 August 1783; married, at London, 28 June 1807, to Henry Drummond of the Grange, Hants, banker in London, grandson of Henry, Viscount Melville. She died 7 October 1854, leaving issue.
4. *Sarah Maria*, born 21 June 1788; married, at London, 9 May 1811, to the Rev. George Murray, afterwards Bishop of Rochester, nephew of John, fourth Duke of Atholl. She died at Godalming 11 July 1874.

XI. THOMAS ROBERT, eleventh Earl of Kinnoull, was born at Bath 5 April 1785; was colonel of the Perth Militia 1809-55, and Lord-Lieutenant of Perthshire 1830. He succeeded his father in the office of Lord Lyon, and held it, though without performing any of its duties, till his death, which took place at Torquay 18 February 1866, and he was buried at Aberdalgie. He married, at St. George's, Hanover Square, 17 August 1724, Louisa Burton, second daughter of Admiral Sir Charles Rowley, Bart.,

[1] In 1867 important changes were made in the office of Lyon. The office of Lyon-Depute was abolished, and the Lyon was made an active executive officer, accountable to the Treasury for all the fees received, thus putting the office on a much more satisfactory and efficient footing than it had previously been.

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G.C.B. She died at St. Leonards-on-Sea 6 March 1885. They had issue:—

1. GEORGE, twelfth Earl of Kinnoull.
2. *Robert*, born 25 July 1831; captain Coldstream Guards; died from the effects of wounds received in the trenches before Sebastopol 1 October 1855.
3. *Arthur*, who assumed the additional name of Drummond on succeeding to Cromlix on the death of his brother Robert, born 30 March 1833; died *s.p.* 28 January 1900, having married, 10 July 1855, Katharine Louisa, eldest daughter of Cobbett Derby of Harton, Bucks.
4. *Charles Rowley*, who also succeeded to Cromlix and took the name of Drummond, born 10 October 1836; entered the Army, and was colonel Scots Fusilier Guards; married, 4 February 1858, Arabella Augusta, youngest daughter of Colonel William Henry Meyrick, and by her, who died 7 April 1899, had issue:—

   (1) *Arthur William Henry*, born 4 May 1862; late lieutenant-colonel 3rd battalion Berkshire Regiment; married, 24 November 1891, Mary, youngest daughter of Sir Edward Henry Scott, Bart., and has issue:—
      i. *Henry Vane*, born 1, and died 10, October 1892.
      ii. *Robert Vane*, born 7 September 1900, died 1 March 1901.
      iii. *Gwendoline Vane*, born 23 March 1894.
      iv. *Violet Vane*, born 7 August 1897.
      v. *Evelyn Vane*, born 25 November 1904.

   (2) *Henry Claude Frederick*, born 18 December 1864; late captain 3rd battalion Royal Berkshire Regiment; married, 25 July 1889, Harriet Lepel Dorothea, youngest daughter of Captain Frederick Sayer.

   (3) *Algernon Richard Francis*, born 19 May 1870; married, 26 January 1904, Mary Verena Campbell, daughter of John Bald of Kilgraston.

   (4) *Evelyn Elizabeth Vane*, born 27 October 1858; married, 6 April 1880, Sir Robert Drummond Moncreiffe, Baronet.

   (5) *Ida Agnes Vane*, born 17 November 1859; married, 22 September 1885, Reginald West, with issue.

   (6) *Amy Violet Powlett*, born 24 March 1861; married, 19 April 1888, the Hon. George Eden, son of fourth Baron Auckland, with issue.

5. *Louisa*, born 5 June 1825, married, 2 May 1843, to Sir Thomas Moncreiffe, Bart., and died at Shelston House, near Leamington, 4 September 1898, leaving

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issue, including eight daughters, all celebrated beauties of their day.

6. *Sarah*, born 4 December 1828, married, 23 March 1848, to Hugh, second Lord Delamere, and died at London 17 February 1859, leaving issue.
7. *Frances*, born 18 May 1830, married, 19 August 1852, to Colonel Richard Thomas Lloyd of Aston Hall, and died 31 January 1886, leaving issue.
8. *Elizabeth*, born 23 December 1834, married, first, 24 April 1856, to Sir Frederick Leopold Arthur, Bart., who died 1 June 1878, leaving issue. She was married, secondly, 22 November 1883, to the Rev. Edward Ernest Dagmore, Vicar of Parkstone, and died 24 February 1902.
9. *Augusta Sophia*, born 13 October 1837, married, 24 April 1856, to John, Lord Saye and Sele, with issue.

XII. GEORGE, twelfth Earl of Kinnoull, was born 16 July 1827, was sometime a captain 1st Life Guards; died 30 January 1897 near Torquay, and was buried at Dupplin; married, 20 July 1848, Emily Blanch Charlotte Somerset, daughter of Henry, seventh Duke of Beaufort, K.G. She, who was born 26 January 1828, died 27 January 1895. They had issue:—

1. *George Robert*, Viscount Dupplin, born 27 May 1849, was lieutenant 1st Life Guards, and died *v.p.* 10 March 1886; married, 4 October 1871, Agnes Cecil Emmeline, youngest daughter of James, fourth Earl Fife, from whom he obtained a divorce in July 1876. She married, secondly, Herbert Flower, who died 30 December 1880, and thirdly, 30 December 1882, Sir Alfred Cooper, F.R.C.S. Viscount Dupplin had by his wife a daughter:—

   (1) *Agnes Blanche Marie*, born 6 December 1873; married, 21 February 1903, Baron Herbert von Hindenburg.

2. *Francis George*, born 29 May 1853, a page-of-honour to Queen Victoria, died 11 September 1884.
3. ARCHIBALD FITZROY GEORGE, thirteenth Earl of Kinnoull.
4. *Alistair George*, born 18 April 1861, was captain

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3rd battalion Black Watch; married, 21 January 1890, Camilla Dagmar Violet Greville, eldest daughter of Algernon, second Baron Greville, and has issue:—

(1) *Auriol Camilla Sharlie Blanche*, born 2 January 1893.

5. *Claude George*, born 24 June 1862; M.P. for Hoxton 1900-1905, and re-elected 1905.
6. *Constance Blanche Louisa*, born 15 August 1851; married, 28 October 1880, to Walter Henry Hadow, who died 15 September 1898, leaving issue.
7. *Clelia Evangeline Constance*, born 9 June 1857, died young 18 May 1868.
8. *Muriel Henrietta Constance*, born 14 August 1863; married, 3 June 1890, to Count Alexander Munster, and has issue.

XIII. Archibald Fitzroy George, thirteenth Earl of Kinnoull, was born 20 June 1855, was a lieutenant 1st battalion Black Watch, and subsequently colonel Egyptian Gendarmerie, served with Baker Pasha in Egypt as chief of his staff. Married, first, 13 July 1877, Josephine Maria, second daughter of John M. Hawke, from whom he was judicially separated in 1885 at her suit. She died 2 December 1900, and he married, secondly, 24 January 1903, Florence Mary, youngest daughter of Edward Tierney Gilchrist Darell.

By his first marriage he had issue:—

1. *Edmund Alfred Rollo George*, Viscount Dupplin, born 12 November 1879, and died *vitâ patris* 30 May 1903, having married, 11 February 1901, Gladys Luz, second daughter of Anthony Harley Bacon. By her he had issue:—

(1) *George Harley*, born 30 March 1902.

By his second marriage the Earl has issue:—

2 and 3. *Fitzroy* and *Edward*, twins, born 29 June 1906, and died the same year.

4. *Elizabeth Blanche Mary*, born 14 December 1903.
5. *Margaret Florence*, born 2 October 1907.

Creations.— 4 May 1627, Viscount Dupplin and Lord Hay of Kinfauns; 25 May 1633, Earl of Kinnoull, Viscount

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Dupplin, and Lord Hay of Kinfauns; 31 December 1697, Viscount of Dupplin, all in the Peerage of Scotland. 31 December 1711, Baron Hay of Pedwardine, co. Hereford, in the Peerage of Great Britain.

ARMS (recorded in the Lyon Register).—Quarterly: 1st and 4th grand quarters counterquartered; 1st and 4th azure, a unicorn salient argent, armed, maned and unguled or, within a bordure of the last charged with eight half thistles vert and as many roses gules joined together per pale, as a coat of augmentation granted on the creation of the earldom; 2nd and 3rd argent, three escutcheons gules, for *Hay*; 2nd and 3rd grand quarters counterquartered; 1st and 4th or, three bars wavy gules, for *Drummond*; 2nd and 3rd or, a lion's head erased within a double tressure flory counterflory gules, as a coat of augmentation granted to William, Viscount Strathallan, on the creation of that dignity.

CREST.—A countryman couped at the knees, vested grey, his waistcoat gules and bonnet azure, bearing on his right shoulder an oxen-yoke proper.

SUPPORTERS.—Two countrymen habited as in the crest, the dexter holding over his shoulder the coulter, and the sinister the paddle of a plough.

MOTTO.—*Renovate animos.*

[J. B. P.]

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KEITH, EARL OF KINTORE, FALCONER, LORD FALCONER OF HALKERTON

SIR JOHN KEITH, third son of William, sixth Earl Marischal (*see that title*), played a prominent part in preserving the Scottish Regalia from falling into the hands of the Cromwellians at the siege of Dunnottar Castle in 1651-52. Pretending that they were in his possession, he sailed to France, and was apprehended on his return, when he declared he had carried them off. In consideration of his services he was at the Restoration in 1660 appointed Knight Marischal of Scotland. He had a charter of the lands of Caskieben in Aberdeenshire, now called Keith Hall, in 1661. On 26 June 1677 he was created EARL OF KINTORE, LORD KEITH OF INVERUGIE AND KEITH HALL, with remainder to the heirs-male of his body. He was further admitted a member of the Privy Council 1689,[1] and in December 1684 was appointed Treasurer-Depute in place of the Earl of Melfort. He resigned his honours, and on 22 February 1694 had a new grant of the titles and family estates to him and the heirs-male of his body; whom failing, the heirs-male of the body of his brother George, Earl Marischal; whom failing,

[1] *Sutherland Book*, iii. 216.

Kintore

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to the heirs-female of his own body. He supported the union with England, and died 12 April 1715.[1] He married, 24 April 1662, Margaret, posthumous daughter of Thomas, second Earl of Haddington (she was born 15 January 1641), and had issue:—

1. WILLIAM, second Earl.
2. —— a son. 3. *George*. 4. *Charles*.
5. *Jean*, married to Sir William Forbes of Monymusk, Bart.
6. *Margaret*, married (banns proclaimed at Keith Hall 9 July 1697) to Gavin Hamilton of Raploch.

II. WILLIAM, second Earl of Kintore, eldest son, had a remission under the Great Seal for rebellion 27 November 1690. He succeeded his father in 1715, joined in the Jacobite rising, and fought at the battle of Sheriffmuir in 1715, after which, it is said, he never shaved his beard. For his participation in the rebellion he was deprived of his office of Knight Marischal. He died 5 December 1718. He married, before 1698, Catherine, eldest daughter of David, fourth Viscount Stormont (she died at Kintore in January 1726[2]), and had issue:—

1. JOHN, third Earl.
2. WILLIAM, fourth Earl.
3. *Catherine Margaret*, baptized at Keith Hall 29 June 1690, and died at Edinburgh 1 March 1762; married (contract 27 November 1703) to David, fifth Lord Falconer, whose descendants inherited the title as aftermentioned.
4. *Jean*, died unmarried.

III. JOHN, third Earl of Kintore, was baptized at Keith Hall on 21 May 1699, succeeded his father in 1718, was appointed Knight Marischal of Scotland in June 1733, and died at Keith Hall 22 November 1758, in the sixtieth year of his age. He married, at Edinburgh, 21 August 1729, Mary, daughter of the Hon. James Erskine, Lord Grange; she was born 5 July 1714, and died at Edinburgh 9 May 1772. Having no issue, he was succeeded by his brother.

[1] *Aberdeen Commissariot*, 17 October 1723. [2] Funeral escutcheon in Lyon Office.

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IV. WILLIAM, fourth Earl of Kintore, was baptized at Keith Hall 5 January 1702, succeeded his brother 1758, and died unmarried at Keith Hall 22 November 1761. The title and estates, in terms of the patent of 1694, devolved on George, Earl Marischal, who being under attainder, the title remained dormant till his death, without issue, on 23 May 1778, when it was inherited by Anthony Adrian, ninth Lord Falconer of Halkerton, in terms of the remainder.

FALCONER, LORD FALCONER OF HALKERTON.

The Falconers of Halkerton claim descent from RANULPH Falconer, eldest son of Walter of Lowcorp, who obtained from William the Lion a charter dated at Montrose of the lands of Kingoven, in Coverin (?Kingoodie in Gowrie) and in the Mearns five davachs of land, namely, Balemaccoy, Achvendochan, Ballebeggen, Lacherach-geichkenni, and Davochendolach, to be held to him and his heirs of the King and his heirs in fee and heritage for service of his body, and if it shall happen that he cannot do the service of his body, he shall do (or cause) the service of one archer in battle.[1] It was probably under this writ Ralph held the office of King's Falconer, which he is said to have received from King William.

PETER LE FAUKENER was *clericus regis* under Alexander II.[2]

HENRY FAUCONER, with consent of Robert, his son and heir, before 1291, granted the lands of Kynguthin to Randulph of Dundee.[3]

ROBERT DE FALCONER, one of those called to estimate the valuation of the baronies of Kilravock and Geddes in 1295,[4] swore fealty to Edward I. 14 March 1295-96,[5] and again at Aberdeen 17 December 1296.[6] His seal bears a falcon killing a small bird.[7]

[1] Transumpt of charter, which is dated at Montrose 2 June [between 1204 and 1211] at the instance of Alexander, first Lord Falconer of Halkerton, 19 July 1670; *Decreets*, Durie. [2] *Chart. of Kelso*, 128, 145; *Caledonia*, i. 541. [3] *Ex inform.* J. R. N. Macphail. [4] *Carta penes* Kilravock. [5] *Cal. of Doc.*, ii. No. 730. [6] *Ibid.*, No. 782. [7] *Ibid.*

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Muriella, widow of Ranulf the Falconer, had letters under the Great Seal of Edward i., restoring to her her dower lands in England 29 June 1304.[1]

Gervase the Falconer, a Scots prisoner, was confined in Wisbeach Castle in 1305 and 1307.[2]

David Falconer, had a charter from King David ii., his godfather, dated at Munros 2 April 1365, of £8 sterling *ad sustentationem suam annuatim percipiend. de itineribus cameræ nostræ loco competente ubi elegere voluerit.*[3]

Andrew Falconer of Lethenbar, was one of the barons who attended Alexander, Earl of Buchan, the King's Lieutenant, 11 October 1380.[4]

Alexander Falconer of Lethens, had a charter of the lands of Newton in 1473, and Robert his grandson had a charter of Balendro in 1504.

David Falconer of Halkerton was one of the jury at an inquisition held in presence of the Sheriff of Kincardine 1 April 1448,[5] upon which a charter of confirmation was granted by King James ii. in favour of the Bishop of Brechin.[6] He had issue a son,

Alexander Falconer of Halkerton, who was a defender in a civil cause before the Lords of Council 11 October 1490,[7] and was one of the jury on the service of John Wishart of Pitarrow to his father 9 July 1491.[8] He had issue a son,

Sir George Falconer of Halkerton, who was bailie in a charter by the Abbey of Arbroath to James Wishart of the lands of Redhall,[9] and as son and heir-apparent of his father witnessed a charter of the Earl Marischal 3 February 1493-94.[10] He had sasine of the lands of Halkerton in 1500,[11] and on the resignation of John, Earl of Ross, had

[1] *Cal. of Doc.*, ii. 1551, 1646. [2] *Ibid.*, 1679, 1937. [3] *Reg. Mag. Sig.* [4] *Chart. of Moray*, 183. [5] Reg. of Brechin, 172. [6] *Reg. Mag. Sig.* [7] *Acta Dom. Conc.* [8] Reg. of Arbroath, 269. [9] *Ibid.*, 399. [10] Confirmed 27 April 1494, *Reg. Mag. Sig.* [11] *Exch. Rolls*, xi. 463.

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a Crown charter of the lands of Lethen in Nairnshire on 25 February 1506-7.[1] He died in 1511. He married Elizabeth, daughter of John Erskine of Dun, and had issue:—

1. *Alexander*, eldest son, died *vitâ patris*; married Janet, daughter of James Arbuthnott of that Ilk,[2] who survived him, and married, secondly, George Auchenleck of Over Kinmonth.
2. DAVID, his heir.

DAVID FALCONER of Halkerton, was seised in the barony of Halkerton 10 March 1515-16,[3] and in the lands of Leithen 2 May 1516.[4] He had a charter of confirmation of the lands of Easter Kilravock on disposition by Hugh Rose of Kilravock 4 October 1525,[5] a charter of the lands of Easter Middleton, in Kincardineshire, to himself and Mariot Dunbar, his wife, from John Middleton of that Ilk, in excambion for the lands of Netherside of Halkerton, etc., 19 January 1539-40,[6] and a further charter of part of same lands 8 October 1546.[7]

He married Mariot Dunbar, said to have been of the family of Conzie and Kilboyack, and niece of Bishop Gavin Dunbar, and had issue:—

1. ALEXANDER.
2. *Elizabeth*, who, in her virginity, had a charter of the lands of Ballandro, Kincardineshire, from Robert Falconer of Ballandro, 5 November 1552.[8] She may be that Elizabeth Falconer who was married to Alexander Lindsay of Broadland, and had a charter of Broadland and Phesdo 25 October 1562.[9]
3. *Janet*, married to Andrew Wishart of Carnebeg, but had no issue.[10]
4. *Catherine*, contracted alternatively with her sister Janet, 31 January 1523, in marriage to Hugh Rose of Kilravock. They had a charter from her brother Alexander of part of the lands of Halkerton 30 August 1557.[11] To Mr. John Wood they granted a charter of the lands

[1] *Reg. Mag. Sig.* [2] *Acta Dom. Conc.*, xxiv. 63. [3] *Exch. Rolls*, xiv. 581. [4] *Ibid.*, 583. [5] *Reg. Mag. Sig.* [6] Confirmed 27 January, *Ibid.* [7] *Ibid.* [8] *Ibid.* [9] *Ibid.* [10] *Roses of Kilravock*, 72. [11] Confirmed 2 October 1557, *Reg. Mag. Sig.*

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of Forrenes and others, in the barony of Ardclach, on 1 June 1567.[1] She died 24 July 1591. He died 10 June 1597.[2]

Sir Alexander Falconer of Halkerton, only son, had a charter to himself and Elizabeth Douglas his wife, of the hill of Halkerton, 24 April 1544,[3] as son and heir of his father, was seised in the mains of Halkerton 23 October 1549,[4] and in lands of Letham 5 November 1549.[5] He had a charter of the lands of Fernychtie and others in Nairnshire 18 November 1556,[6] and died 10 November 1587.[7] He married Elizabeth, ~~only~~ daughter of Sir Archibald Douglas of Glenbervie, and had issue:—

1. Alexander, his heir.
2. *Hew* of Innerlochtie.[8]
3. *Archibald*, ancestor of the family of Phesdo, the last of whom, John Falconer of Phesdo, advocate, died at Leith 31 November 1764, aged ninety-one, leaving his estate to Captain George Falconer, fifth son of David, fifth Lord Falconer.
4. *Samuel* of Kincorth, Justice of the Peace for Elgin and Nairn 1623,[9] M.P. for Forres 1617.
5. *William* of Dinduff, married Beatrix, daughter of —— Dunbar of Bogsmoray, and had issue:—

   Colin, born 1623, studied at St. Leonard's College, St. Andrews, ordained minister of Essil 2 October 1651, of Forres 24 March 1658, promoted to the Bishopric of Argyll 5 September 1679, translated to the see of Moray 7 February 1680, died at Spynie 11 November 1686, and was buried in Elgin Cathedral. He married, 24 July 1648, Lilias Rose, who died at Elgin 6 May 1688, leaving issue. On 13 January 1676 he erected a stone to himself and his wife 'and their posteritie' in the chapter-house of Elgin Cathedral, bearing his own arms impaled with those of his wife. On a tablet beneath there is an inscription concluding with the following lines, which do not do much credit to his power of composition, 'This Rose decays, this crown endures; if once I run I cannot turn; I'm still beginning yet never ending.'[10]

6. *Agnes*, married (contract 15 April 1567) to Alexander Guthrie of that Ilk.[11]

[1] Reg. of Moray, 405. [2] *Roses of Kilravock*, 74. [3] *Reg. Mag. Sig.* [4] *Exch. Rolls*, xviii. 482. [5] *Ibid.*, 485. [6] *Reg. Mag. Sig.*, 29 April 1566. [7] Edin. Tests., 8 December 1592. [8] *Forfar Inhibitions*, 25 February 1597-98; *P. C. Reg.*, 3 January 1616, x. 440. [9] *P. C. Reg.*, xiii. 348. [10] *Proc. Soc. Antiq. Scot.*, xxxiv. 354. [11] *Deeds*, vii. 445.

ALEXANDER FALCONER OF HALKERTON was seised as heir of his father in the barony of Halkerton and lands of Leithen in 1588,[1] had a charter to himself and his son, of Leithen in Nairnshire, and Middleton and Halkerton in Kincardineshire, 12 October 1593,[2] and died in December 1595.[3] He married Isabel, fourth daughter of Patrick, 4th ~~sixth~~ Lord Gray, and relict of David Strachan of Carmylie. She died 20 October 1589.[4] They had issue:—

1. SIR ALEXANDER.
2. *Patrick* of Newton, a Justice of the Peace for Kincardineshire in 1623.[5]
3. *Robert* of Drimmie,[6] married Isobel, daughter of Patrick Rossie, fiar of that Ilk.[7]
4. *Jean*, married (contract dated 12 September 1620) to John Fullarton, younger of Kinnaber.[8]
5. *Isobel* (natural daughter), married (contract dated 15 February 1615) to Dr. Francis, called Apparisiis.[9]

SIR ALEXANDER FALCONER OF HALKERTON had a charter of that barony and of the lands of Leithen to himself and Agnes Carnegie his spouse on 27 January 1594-95, and again to himself 28 July 1612.[10] He complained to the Privy Council on 27 May 1596 against John Rose of Ballivat and others, of sorning, harrying, and wraking his tenants.[11] He died between 12 June 1645, when he granted a charter to his son Alexander, and 24 June 1646, when he is styled 'quondam.'[12] He married (contract dated 18 or 28 November 1594) Agnes, eldest daughter of Sir David Carnegie of Colluthie, sister of David, first Earl of Southesk.[13] She died 8 December 1634.[14] He had issue:—

1. SIR ALEXANDER, his heir.
2. *Sir David* of Glenfarquhar, had charter of Mains of Balbegno, in the parish of Fettercairn, 2 August 1627,[15] admitted Advocate before 1630, appointed Commissary of Edinburgh 1634; as Deputy for Kincardineshire

[1] *Exch. Rolls*, xxi. 541, 542. [2] *Reg. Mag. Sig.* [3] Edin. Tests., 17 March 1607. [4] *Ibid.*, 23 March 1589-90. [5] *P. C. Reg.*, v. 728; viii. 717; xiii. 348. [6] *Forfar Inhib.*, 16 August 1647. [7] *Ibid.*, 8 March 1625. [8] *Reg. of Deeds*, ccci. 3, and ccliv. 180. [9] *Forfar Inhib.*, 12 April 1615. [10] *Reg. Mag. Sig.* [11] *P. C. Reg.*, v. 291. [12] *Reg. Mag. Sig.* [13] *Ibid.*; *Reg. of Deeds*, xlviii. 216, 18 November 1594. [14] St. Andrews Tests., 29 December 1635. [15] *Reg. Mag. Sig.*

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he consented to the Union with England 27 February 1652;[1] was member for said county in the united parliament in 1652,[2] and in the Scots Parliament in 1667. He married Margaret, daughter of Sir Robert Hepburn of Bearford,[3] and had issue:—

(1) *Sir Alexander* of Glenfarquhar, created a Baronet 20 March 1670, with remainder to the heirs-male of his body; served heir to his mother, Margaret Hepburn, 2 August 1673;[4] was member of Parliament for Kincardineshire in 1678; founded four bursaries in King's College, Aberdeen, for boys of the name of Falconer, 7 August 1716,[5] and died 17 March 1717.[6] He married Margaret, daughter of Robert Graeme of Craigie, who died at Edinburgh 3 March 1720,[7] and had issue:—
ALEXANDER, fourth Lord.

(2) *Sir David* of Newton, was admitted Advocate 29 June 1661, and in the same year was appointed Commissary of Edinburgh; was appointed a Lord of Session 12 June 1676, Lord President of the Court 5 June 1682, and was member of Parliament for Forfarshire 1685-86. He compiled the Decisions of the Court of Session from November 1681 to 9 December 1685, the last day on which he sat in Court. He died at Edinburgh 15 December 1685, aged forty-six,[8] and was buried in the Greyfriars Churchyard there, where there is a monument to his memory. He married, first, Elizabeth, daughter of Robert Nairn of Muckersy, sister to Robert, first Lord Nairn. She was buried in Greyfriars 20 January 1676, leaving issue. He married, secondly, 16 February 1678, Mary, daughter of George Norvell of Boghall, Linlithgowshire.[9] She survived him, and was married, secondly, to John Hume of Ninewells.[10]

Issue by first marriage:—

i. *Alexander*, born 6 August 1663,[11] died young.

Issue by second marriage:—

ii. DAVID, fifth Lord.

iii. *Alexander*, born June 1682,[12] admitted Advocate 23 November 1705, assumed the name of Hay on succeeding to the estate of Delgaty. He married Mary, daughter of John, eleventh Earl of Erroll, Countess of Erroll in her own right. She died without issue 19 August 1758.

iv. *George*, born 20 November 1685, died in 1743; married Janet, daughter of John Marjoribanks of Leuchie, sister to General Marjoribanks, and had issue, from whom the family of Carlowrie and Falconer-Stewart of Binny descend.

v. *Margaret*, born 13 February 1679, died unmarried.[13]

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[1] *Cromwellian Union*, 48. [2] *Ibid.*, 183. [3] Funeral escutcheon. [4] *Inq. Gen.*, 5649. [5] *Fasti Aberdon.*, 204. [6] St. Andrews Tests., 17 July 1717. [7] Edin. Tests, 25 April 1720. [8] Edin. Tests. [9] Edin. Marriage Register. [10] *P. C. Decreets*, 11 August 1691 and 19 August 1696. [11] Edin. Baptisms. [12] *P. C. Decreets*, 11 August 1691. [13] Edin. Tests., 15 April 1748.

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vi. *Mary*, born 26 May 1680, married to —— Fullerton of Dudwick.
vii. *Catherine*, born 4 October 1683, married, 4 January 1708, Joseph Hume of Ninewells, and had issue *David Hume*, the philosopher.
viii. *Elizabeth*, born 7 October 1684, died unmarried.

3. *Sir John*, Master of the Mint to King Charles I., probably that Sir John buried in Greyfriars 21 June 1670.[1] He married, first, Sibil Ogilvy, who died 4 December 1634,[2] and secondly, Esther Briot, and had issue:—

(1) *John*, baptized 3 October 1636.
(2) *James*, baptized 29 June 1640.
(3) —— a child, baptized 18 August 1641.
(4) *Patrick*, baptized 3 October 1642.
(5) *Robert*, baptized 26 July 1644.
(6) *Charles*, baptized 11 November 1646.
(7) *William*, baptized 23 January 1648.
(8) *Andrew*, baptized 13 July 1652.
(9) *Margaret*, baptized 31 January 1650.
(10) *Esther*, baptized 12 February 1654.[3]

4. *Sir Patrick*, admitted Advocate 23 February 1642, served heir-general to his sister Margaret 19 February 1659.[4]
5. *Margaret*, died before 19 February 1659.
6. *Agnes*, married, first, to Alexander Keith of Benholm. She had a charter as his future wife 19 September 1633.[5] He died between 20 and 25 February 1634, and she was married, secondly, in 1634, to John, Master of Forrester.[6]
7. *Jean*, married, 1637, John Grant of Moyness.[7] They have a charter of the lands of Moyness.[8]

I. Sir Alexander Falconer of Halkerton had a charter of the barony to himself and Anne Lindsay, his future wife, 21 April 1619.[9] He was appointed a Lord of Session on 9 July 1639 in place of Lord Woodhall of Balmanno, whom he paid 7000 merks to demit;[10] was member of Parliament for Kincardineshire 1643-47, a Commissioner of Treasury 1 February 1645, and for the plantation of Kirks in 1644. He

[1] Edin. Tests., 19 July 1673. [2] Brechin Tests. [3] All these births from Edinburgh Reg. [4] *Inq. Gen.*, 4426. [5] *Gen. Reg. Sas.*, xxxviii. 98. [6] *Gen. Reg. of Inhib.*, 8 October and 1 December 1634. [7] *Reg. Mag. Sig.*, 25 June 1642. [8] *Ibid.*, 25 April 1637. [9] *Ibid.* [10] Fountainhall's *Diary*, 215.

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was created LORD FALCONER OF HALKERTON on 20 December 1646, with destination to himself and his heirs-male whatsoever,[1] but he appears to have borne the title earlier, as he had a charter under that designation on 24 June 1646 of the lands of Diracroft in Kincardineshire. In 1649 he was superseded as a Lord of Session as a malignant, but was reinstated at the Restoration in 1660. He died at Edinburgh 1 October 1671, aged seventy-seven.[2] He married (contract dated 2 and other days of April 1619[3]) Anne, only child of John, ninth Lord Lindsay of the Byres, from whom, however, he was separated in 1627.[4] He had issue:—

1. ALEXANDER, second Lord.
2. *Agnes*, married to George, second Lord Banff, and had issue.

II. ALEXANDER, second Lord Falconer, baptized at Montrose 17 June 1620, was served heir to his father in the barony of Halkerton 30 April 1672. In November 1679 his house of Halkerton was destroyed by fire.[5] He died 4 March 1684. He married Margaret, second daughter of James, second Earl of Airlie. She survived him, and was married, secondly, to Patrick Lyall. He had issue:—

1. DAVID, third Lord.
2. *Alexander*, who died before 22 November 1712, when his brother David was served heir to him.
3. *James*.[6]
4. *Jane*, married, first, 1706, to James Forbes of Thornton; and secondly, to James Ouchterlony, bailie of Montrose.
5. *Helen*, died before 10 June 1714, when her brother David was served heir to her.
6. *Elizabeth*.[7]
7. *Euphame*, married to John Row of Bandeath. She was served heir to her brother David, third Lord, 12 August 1727.

III. DAVID, third Lord Falconer of Halkerton, served heir to his father in the barony of Halkerton 27 March 1690.[8]

[1] *Reg. Mag. Sig.* [2] St. Andrews Tests., 2 January 1674 and 27 July 1675. [3] *Reg. Mag. Sig.*, 21 April 1619. [4] *P. C. Reg.*, 2nd ser., i. 540. [5] *Roses of Kilravock.* [6] Funeral escutcheon. [7] *P. C. Decreets*, 7 January 1696. [8] *Inq. Spec.*, *Kincardine*, 157.

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On 24 March 1710 he was found to be *non compos mentis*, and to have been so for the previous twenty years. He died unmarried in February 1724, and was succeeded in the title by Sir Alexander Falconer of Glenfarquhar, his cousin (*see ante* p. 247).

IV. ALEXANDER, fourth Lord Falconer of Halkerton, died without issue on 17 March 1727, when the baronetcy of Glenfarquhar became extinct and the Peerage devolved on David, second son of Sir David Falconer of Newton (*see ante* p. 247).

V. DAVID, fifth Lord Falconer of Halkerton, born May 1681, served heir to his father in Newton 23 February 1693,[1] to his uncle, Sir Alexander Falconer of Glenfarquhar, 3 March 1718, and to his cousin, David, fourth Lord, 3 August 1724. He died at Inglismaldie 24 September 1751, aged seventy-one. He married (contract dated 27 November 1703) Catherine Margaret Keith, eldest daughter of William, second Earl of Kintore, she being then thirteen years and five months old, and had issue:—

1. ALEXANDER, sixth Lord.
2. WILLIAM, seventh Lord.
3. *David*, insurance broker in London; died at Bury Court, St. Mary Axe, 4 September 1775; married —— Lamplugh of Cumberland.
4. *John*, married —— Nairn of Jamaica.
5. *George*, captain in Royal Navy 27 April 1762, who succeeded his kinsman John Falconer of Phesdo in that property (service 10 September 1766), and died commander of H.M.S. *Invincible*, at Portsmouth 3 May 1780. He married Hannah, daughter of —— Ivie of Ireland, and relict of Lieutenant Hardy, R.N. She survived him, had a royal grant of a pension of £45 on 24 November 1780,[2] and was married, secondly, to John Mill of Fearn, Forfarshire. Had issue a son, *George*.
6. *Catherine*, died unmarried at Edinburgh 1 December 1748.

[1] *Inq. Spec., Kincardine*, 161. [2] *Privy Seal, England, Reg.*, x., 490.

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7. *Jean*, died at Edinburgh 16 February 1797.[1] She was married to James Falconer of Monkton, Midlothian, and Balnakettle, Kincardineshire, who died December 1779, and had issue.
8. *Mary*, died unmarried at Edinburgh 27 September 1775.[2]
9. *Marjory*, died at Deans, 18 November 1787; married at Inglismaldie, 28 April 1759, George Norvell of Boghall and Deans, and had issue:—
   (1) *Catherine Margaret*, married, 10 January 1791, Captain Cosby Swindell, 55th Foot.

VI. Alexander, sixth Lord Falconer of Halkerton, born about 1707, went abroad in early youth and attached himself to the Earl Marischal and Field-Marshal Keith, with whom he remained till his father's death in 1751, when, succeeding to the title, he returned home to Scotland, and died at Edinburgh 5 November 1762, aged fifty-five. He married, at St. George's, Hanover Square, 25 June 1757, Frances, daughter of Herbert Mackworth of the Gnoll, Glamorganshire, but had no issue. She survived him, and married, secondly, 22 July 1765, Anthony Joseph, seventh Viscount Montagu, who died 9 April 1787. She was born 28 August 1731, and died at London 3 March 1814 aged eighty-two.

VII. William, seventh Lord Falconer of Halkerton, succeeded his brother in 1762, was served heir 21 November 1768, settled at Groningen in Holland, and died there 12 December 1776. He married a Dutch lady, who died at Groningen 22 October 1779, and had issue:—
1. Anthony Adrian, eighth Lord.
2. *William*, killed at battle of Quebec.
3. *Charles*.

VIII. and V. Anthony Adrian, eighth Lord Falconer of Halkerton and fifth Earl of Kintore, on the death of George, Earl Marischal, on 28 May 1778, died, at Keith Hall, 30 August 1804. He married, before 1766, Christina Elizabeth, daughter of —— Sighterman of Groningen,

[1] Edin. Tests., 22 November 1797. [2] *Ibid.*, 15 November 1775; *Scots Mag.*

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Intendant and General in the Dutch East Indies. She died, at Edinburgh, 26 March 1809, and had issue:—

1. WILLIAM, sixth Earl.
2. *Sibella*, born 18 January 1768, died 23 April 1792.
3. *Maria Remembertina*, born 8 February 1769, died at Bath 24 August 1851.
4. *Catherine Margaret*, born 3 June 1770, died at Bath 10 December 1849.
5. *Francina Constantia*, born 17 June 1771, died 4 December 1779.
6. *Jean*, born 3 July 1772, died young.
7. *Christian Elizabeth*, born 31 December 1774, died in December 1826.
8. *Helen*, born 30 August 1777, died young.

IX. and VI. WILLIAM, sixth Earl of Kintore and ninth Lord Falconer of Halkerton, born at Inglismaldie 11 December 1766, officer in the Scots Greys, died, at Keith Hall, 6 October 1812. He married, 18 June 1793, at Aberdeen, Maria, daughter of Sir Alexander Bannerman of Kirkhill, Bart. She died 30 June 1826, and was buried at Bath Abbey, having had issue:—

1. ANTHONY ADRIAN, seventh Earl.
2. *Alexander*, born at Philorth 11 October 1798, died 5 June 1821.
3. *William*, born 11 December 1799; a captain in the Royal Navy; died 5 January 1846. He married, 24 June 1830, Louisa, daughter of William Grant of Congalton. She died, at Boulogne, 12 February 1862, leaving issue.
4. *Mary*, born 2 May 1795, died, at Bath, 5 July 1864.

X. and VII. ANTHONY ADRIAN, seventh Earl of Kintore and tenth Lord Falconer of Halkerton, born 20 April 1794, was created BARON KINTORE OF KINTORE, in the Peerage of the United Kingdom, 5 July 1833, and died, at Keith Hall, 11 July 1844. He married, first, 14 June 1817, Julia, fourth daughter of Robert Renny of Borrowfield; she died 9 July 1819, without issue; and, secondly, 27 August 1821, Louisa, youngest daughter of Francis Hawkins, by whom he was divorced 3 March 1840. She was married,

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secondly, 2 April 1840, to B. North Arnold, M.D., of Millo and Langho, Lancashire, and died 1 November 1841. He had issue:—

1. *William Adrian*, Lord Inverurie, born 2 September 1822, lieutenant 17th Light Dragoons; killed while fox-hunting 17 December 1843.
2. FRANCIS ALEXANDER, eighth Earl.
3. *Charles James*, major 4th Light Dragoons, born 1 July 1832, died 7 January 1889. He married, 24 January 1857, Caroline Diana, third daughter of Robert Aldridge of St. Leonard's, Forest, Sussex, and had issue:—

   (1) *Cecil Edwards*, captain Northumberland Fusiliers, born 11 October 1860, served in Egyptian expedition at Dongola 1896, Nile expedition 1897, Khartoum 1898, and was killed in action near Orange River 10 November 1899. He married, 24 June 1899, Georgina, daughter of John Henry Blagrave of Calcot Park, Reading.

   (2) *Charles Adrian*, born 12 December 1861, married, 11 June 1887, Williamina, twin daughter of the Right Hon. William Wentworth Fitzwilliam Hume Dick of Humewood, Wicklow, and has issue.

   (3) *Victor Francis Alexander*, captain Prince Albert's (Somerset) Light Infantry, born 27 October 1869, killed in action at Colenso, Natal, 21 February 1900.

   (4) *Diana Mary*, born 8 November 1858.

   (5) *Florence*, born 18 May 1864, married, 5 August 1893, to the Rev. Hesketh France Hayhurst, Vicar of Middlewich, Chester.

   (6) *Ida Madeleine*, born 2 March 1868.

   (7) *Evelyn Millicent*, born 20 May 1872.

   (8) *Violet Katherine*, born 21 July 1875, died 2 September 1881, unmarried.

   (9) *Sybil Blanch*, born 9 September 1878.

4. *Isabella Catherine*, born 5 June 1824, died 8 February 1870; married, 4 August 1847, to Henry Grant of Congalton.

XI. and VIII. FRANCIS ALEXANDER, eighth Earl of Kintore and eleventh Lord Falconer of Halkerton, born 7 June 1828, Lord-Lieutenant of Kincardineshire 1856-64, Aberdeenshire 1864-80, and died 18 July 1880. He married, 24 June 1851, his cousin, Louisa Madaleine, second daughter of Francis Hawkins, and had issue:—

1. ALGERNON, ninth Earl.

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2. *Dudley Metcalfe Courtenay*, born 19 January 1854, died 27 November 1873.
3. *Ion Grant Neville*, born 5 July 1856, died May 1887. He married, 4 March 1884, Gwendoline, daughter of Robert Cooper Lee Bevan of Fosbury House, Wilts. She survived him, and was married, secondly, 15 December 1894, to Major Frederick Ewart Bradshaw, I.S.O.
4. *Arthur*, born 27 August 1863, died 9 December 1877.
5. *Madaleine Dora*, born 27 June 1858, married, 12 July 1889, to Captain Francis Henry Tonge, 62nd Regiment.
6. *Blanche Catherine*, born 15 September 1859, married, 4 December 1883, to Granville Roland Francis Smith, lieutenant Coldstream Guards, and has issue.
7. *Maude*, born 20 July 1869.

XII. and IX. ALGERNON HAWKINS THOMAND, ninth Earl of Kintore and twelfth Lord Falconer of Halkerton, born at Edinburgh 12 August 1852, B.A. Trinity College, Cambridge, 1874, M.A. 1877, LL.D. 1894, G.C.M.G. 4 February 1889, Grand Cordon of the Crown of Italy, first class Red Eagle of Prussia, Grand Cross Military Order of Christ of Portugal, Grand Cross of the North Star of Sweden, Lord-in-waiting to Queen Victoria 1885-86 and 1895-1901, and to King Edward 1901-6, aide-de-camp to the King 2 January 1903, Captain of Yeomen of the Guard 1886-89, Governor and Commander-in-chief South Australia 1889-95, colonel commanding 3rd battalion of Gordon Highlanders 1903, retired 19 May 1906. He married, 14 August 1873, Sydney Charlotte Montagu, second daughter of George, sixth Duke of Manchester, and has issue:—

1. *Ian Douglas Montagu*, Lord Inverurie, lieutenant 3rd battalion Gordon Highlanders, born 5 April 1877, died 26 August 1897.
2. *Arthur George*, Lord Falconer, born 5 January 1879, late lieutenant Scots Guards, served in South Africa.
3. *Ethel Sydney*, born 20 September 1874, married, 16 February 1905, to John Laurence Baird, C.M.G., eldest son of Sir Alexander Baird, Baronet.
4. *Hilda Madaleine*, born 5 November 1875.

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CREATIONS.—Baron Falconer of Halkerton 20 December 1646; Earl of Kintore, Baron Keith of Inverugie and Keith Hall, 26 June 1677, in the Peerage of Scotland; Baron Kintore of Kintore in the Peerage of the United Kingdom 5 July 1833.

ARMS (recorded in Lyon Register).—Quarterly: 1st and 4th, azure, a falcon displayed between three mullets argent, on his breast a man's heart gules for Falconer; 2nd and 3rd, argent, on a chief gules three pallets or, on an inescutcheon of the second a sceptre and sword in saltire with an imperial crown between the upper corners, all proper within an orle of eight thistles slipped near the head or for Keith.

CREST.—An angel in a praying posture or, within an orle of laurel proper.

SUPPORTERS.—Two men in complete armour, each holding a spear in a sentinel's posture.

MOTTOES.—*Vive ut vivas. Quae amissa salva.*

[F. J. G.]

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MACLELLAN, LORD KIRKCUDBRIGHT

SEVERAL origins have been suggested for the Galloway family of MacLellan, but the earliest authentic occurrence on record of any person of the name is on 3 March 1305-6, when Patrick, son of Gilbert M'Lolan, with fourteen other esquires, took the castle of Dumfries from the men of Robert the Bruce after the death of Sir John Cumyn.[1] Gilbert, son of Gilbert M'Lolan, was a witness to letters of Simon, Bishop of Whithorn, granting the church of Calmanellus, Botylle, in the diocese of Whithorn, to Sweetheart Abbey, on the Feast of St. Luke, 1347.[2] Sir Matthew M'Lolan, knight, also witnessed the above, and he and his son John occur as witnesses to a charter on 29 November 1352 by Edward, King of Scots and Lord of Galloway (Edward Baliol) to Sir William de Aldeburgh of the barony of Kells, etc.[3] Gilbert M'Lellan was on an inquisition at Dumfries 30 June 1367,[4] and it was probably the same Gilbert who obtained a charter of lands from King David II.[5]

[1] *Cal. of Doc.*, iv. 389. A reference to the Chartulary of Moray in Douglas's *Peerage* (1st ed.) in support of the statement that a David Maclellan (called Duncan by Wood in his edition) occurs in a charter of Alexander II. in 1267 seems incapable of verification. [2] *Papal Reg. Letters*, iii. 396, confirmed 8 Ides of March 1351. [3] *Cal. of Doc.*, iii. 1578. [4] *Reg. Hon. de Morton*, 64. [5] Robertson's *Index*, 33.

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The next monarch, King Robert II., confirmed at Methven, 18 October 1372, a lease by Ingeramus M'Gillelan to Sir Robert Stewart of Shanbothy of certain lands in the barony of Redcastle, in the county of Forfar.[1]

The next person of the name met with on record is John M'Lellan, who was one of the custumars of the burgh of Kirkcudbright in 1434.[2] It is not improbable that he was an ancestor of the Bombie family, as Thomas of Bombie appears as custumar in 1487.[3] The family, however, was a large one, and took a prominent part in the proceedings of a somewhat unruly district. In 1447 the royal castle of Lochdoon, in Carrick, being in possession of the Maclellans, certain expenses were allowed them on its surrender by them to Sir Alexander Livingston.[4]

Pitscottie tells, in his usual picturesque style, a story of the capture and imprisonment of the 'tutor of Bombie,' and of his execution, while Sir Patrick Gray, the brother of the first Lord Gray, whose sister is said to have married Maclellan of Bombie, waited with an order from the King demanding his release, but the story lacks confirmation. A tombstone is said to have existed in Dundrennan Abbey so late as 1723, commemorating the death of Patrick Maclellan of Wigtown, Sheriff of Galloway, who died in 1452. But as the Earl of Douglas died under the dagger of the King on 20 February 1451-52, it is unlikely the incident referred to has any foundation in fact, or that there is any connection between the Patrick Maclellan buried in the Abbey and the victim of the alleged outrage by Douglas. It is also stated that, severe reprisals having been made by the Maclellans in the Douglas lands, the estates belonging to the family were forfeited. Sir George Mackenzie[5] says that this forfeiture was rescinded because the son of the Laird of Bombie killed a Saracen who, with a troop of compatriots, was harrying Galloway; and that, on account of this feat, Maclellan was granted a crest of an arm holding a sword, on the point of which was a Saracen's head, with the motto 'Think on.' Whatever foundation there may be for this story, it is to be noted that Saracens' heads were far from uncommon crests in the arms both of English and

[1] *Reg. Mag. Sig.*, folio vol. 116, 13. [2] *Exch. Rolls*, iv. 606. [3] *Ibid.*, x. 305. [4] *Ibid.*, v. lxii. 287. [5] *Heraldry*, 99.

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Scottish families; and that afterwards the crest of the Maclellans of Bombie was a piece of ordnance, said by some writers to be an allusion to the great Scottish gun 'Mons Meg,' but which is more likely to have been intended to represent a mortar for firing bombs. Such a play upon the word Bombie is eminently characteristic of the heraldic fondness for *armes parlantes*.

The earliest mention of a laird of Bombie of the name of Maclellan is in 1466, when William Maclellan of Bombie was on 13 February 1466-67 Provost of the Burgh of Kirkcudbright, when he procured a transcript of a charter by King James II. granting privileges to the town.[1] If he was the father of the next mentioned laird, his wife's name was Marion Carlyle, as she is on record as mother of Thomas Maclellan of Bombie.

THOMAS MACLELLAN of Bombie was styled Alderman of Kirkcudbright in 1482.[2] He, as Thomas Maclellan of Bombie, witnessed a charter of John, Lord Carlyle, 12 July 1487.[3] In the same year he appears for the first time as custumar of the burghs of Wigtown and Kirkcudbright.[4] On 22 March 1490-91 he had a charter of a tenement called the Dowcroft, in Kirkcudbright.[5] On 6 February 1491-92 he had a grant of the water of the Kirkburn, with leave to build a mill there;[6] on 3 May following he had a charter of the half-merk lands of Lochfergus,[7] and others on the same date of Bardrochwood, in the Stewartry, Glenturk, co. Wigtown, and Barsalgayk, in the parish of Balmaclellane. On 17 June 1495 he purchased Garcrego, in the same parish.[8] On 10 August 1501 his accounts as custumar were presented in his name,[9] but he may have resigned his lands in favour of his eldest son before this, as on 22 January 1496-97 the latter, under the designation of William MacLellane of Bombie, granted a charter of Glenturk.[10] He was living in June 1503, and died

[1] *Fourth Rep. Hist. MSS. Com.*, 539; cf. also reference to William M. of Bombie in 1476; *Acta Dom. Auditorum*, 50. [2] *Acta Dom. Auditorum*, 101; a Thomas Maclellan, perhaps the same, is also a witness to the transcript above referred to. [3] Confirmed 10 October 1487, *Reg. Mag. Sig.* [4] *Exch. Rolls*, x. 137, 305. [5] *Reg. Mag. Sig.* [6] Confirmed 20 February 1491-92, *ibid.* [7] Confirmed 5 February 1492-93, *ibid.* [8] Confirmed 18 August 1495, *ibid.* [9] *Exch. Rolls*, xi. 373. [10] *Reg. Mag. Sig.*, 25 August 1504.

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before November in that year.[1] He married, first (contract 13 July 1476[2]), Margaret, only daughter of Sir William Gordon of Lochinvar, and, secondly, Agnes, daughter of Sir James Dunbar of Mochrum. He had issue :—

1. WILLIAM.
2. *John*, of Auchlane.[3] He was tutor-at-law to Thomas Maclellan of Gelston (whose father appears to have fallen at Flodden).[4] He witnessed a charter 31 October 1512.[5] He had a son and successor,

   (1) *Thomas*, of Auchlane, who was tutor of Bombie 1550.[6] He married Agnes Gordon,[7] and had two sons :—

   i. *William*, of Auchlane.[8] He had a charter of half of Auchlane, 14 June 1575;[9] tutor of Bombie in 1597.[10] He married Katherine Kennedy, daughter of Gilbert, third Earl of Cassillis, widow of Sir Patrick Vaus of Barnbarroch.[11] They had a daughter,

   Margaret, married to Gilbert Maclellan of Galtway, son of William Maclellan of Balmangane.[12]

   ii. *Thomas*.[13]

3. *Gilbert*, in Balmangan, of whom afterwards.
4. *Thomas*.[14]
5. *Christian*, married to William Cairns of Orchardton.[15]
6. *Catherine*, married to Sir John Dunbar of Mochrum,[16] who fell at Flodden in 1513.

WILLIAM MACLELLAN, of Bombie, rendered his father's accounts as custumar of Kirkcudbright and Wigtown 1 April 1503,[17] and succeeded him in that capacity. He was infeft as heir of his father in 1503.[18] He was joint-chamberlain of Galloway along with his brother-in-law, Sir John Dunbar of Mochrum, in 1507.[19] On 12 December 1505 he had a charter from James M'Ghee of Pluntoun, of the nine-merk lands of Polmaddy.[20] On 15 August 1511 he had, along with his wife, a charter from Peter Mure of Barmagachan, and Stephen Tailyefere, of the lands of Bar-

[1] *Exch. Rolls*, xii. 154; *Acta Dom. Conc.*, xv. 64. [2] Kenmore Inventory. [3] *Exch. Rolls*, xi. 452. [4] *Acta Dom. Conc.*, xxxi. 109. [5] *Reg. Mag. Sig.*, 1 November 1512. [6] *Acts and Decreets*, iv. 285. [7] *Reg. Mag. Sig.*, 13 April 1593. [8] *Ibid.*, 26 January 1574-75. [9] *Ibid.*, 14 February 1576-77. [10] *P. C. Reg.*, v. 744. [11] Vol. ii. 471; *Reg. Mag. Sig.*, 28 March 1603. [12] *Ibid.*, 12 July 1598. [13] *Ibid.*, 26 January 1574-75. [14] *Exch. Rolls*, xi. 454. [15] *Acta Dom Conc.*, viii. 190. [16] *Reg. Mag. Sig.*, 28 March 1511-12. [17] *Exch. Rolls*, xii. 154. [18] *Ibid.*, xii. 713. [19] *Ibid.*, xiii. 506. [20] Confirmed 20 January 1505-6, *Reg. Mag. Sig.*

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magachan and others.[1] He was knighted before 28 March 1512.[2] He fell, along with many others of his clan, at Flodden in 1513. He married Elizabeth, daughter and heir of Alexander Mure of Bardrochwood,[3] and had by her:—

1. THOMAS.
2. *William*[4] of Nuntoun. After his brother's death he was styled tutor of Bombie (*see* later), his identity being proved by a notice in 1535 of William Maclellan, tutor of Bombie, as executor of Elizabeth Mure, Lady Bardrochwood, his mother.[5] On 7 June 1535 he had a charter from the Bishop of Galloway of the lands of Nunton and others.[6] He died July 1549.[7] He married Agnes Johnston, said to have been a daughter of the Laird of Johnston, with whom he had a charter, 20 November 1546, of the lands of Kirkcaswell and others.[8] Their descendants may be given, because, though ignored by former Peerage writers, they would have been nearer to the title than the Balmangane branch who ultimately succeeded. The issue of William and Agnes Johnston were:—

(1) *James;* (2) *John;* (3) *Thomas;* all mentioned as their father's executors.[9]

James was a minor in 1555.[10] He died apparently in 1571, having married, before July 1564, Isobel M'Dowall,[11] who survived him, and married, secondly, John Gordon.[12] They had issue:—

i. *Thomas.*
ii. *James*, tutor of Nunton after his brother's death.[13] He married Katherine Broun,[14] and was styled of Auchinha. He died *s.p.*, his nephew Robert being served heir to him 24 August 1619.[15]

Thomas of Nunton was a minor at his father's death: on 20 March 1586-87 he had precept of sasine as heir in Kirkcarsell, which had been in ward for fourteen years, and in non-entry for three terms thereafter.[16] He had a charter of these lands to himself 6 March 1571-72;[17] and another of the vicar lands of Kirkchrist

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[1] Confirmed 3 April 1512, *ibid.* [2] *Ibid.* [3] *Ibid.*, 5 February 1492-93, and cf. *Acta Dom. Conc.*. xxi. 168. [4] *Exch. Rolls*, xiv. 281. [5] *Acta Dom. Conc. et Sess.*, vi. 142. [6] Original charter in Reg. Ho. [7] *Acts and Decreets*, xviii. 11. [8] *Reg. Mag. Sig.*, 6 March 1571-72. [9] *Acts and Decreets*, iii. 480. [10] *Ibid.*, xi. 31. [11] *Ibid.*, xxxii. 189. [12] *Reg. of Deeds*, xiv. 366. [13] *Reg. Mag. Sig.*, 26 May 1597. [14] *Ibid.* [15] *Retours, Kirkcudbright*, 145. [16] *Exch. Rolls*, xxi. 535. [17] *Reg. Mag. Sig.*

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19 January 1591-92, wherein he is styled son and heir of James of Nunton. He died 26 January 1592-93.[1] He married Marion, daughter of Thomas Maclellan of Bombie (see page 264), and by her had issue:—

(i) *Robert*. He was served heir to William, his great-grandfather, 10 September 1616, and to his father Thomas, 28 October 1617.[2] He married Agnes, daughter of John Gordon of Over Culwha, grand-daughter and heir of James Gordon of Barnbarroch, and widow of John Grierson of Bargatton.[3]

(ii) *Thomas*, his father's executor; died before 1630, having married Nicolas Maxwell, widow of John Cutlar of Orroland,[4] by whom he had a son,

a. *Robert*, to whom Edward Maxwell of Balmangan was tutor-dative,[5] he being under age when he succeeded his father. His name is on record down to 1634,[6] but he was evidently deep in debt. He appears to have been the last Maclellan of Nunton.

3. *Katherine*, married, about 1537, John Kennedy of Culzean.[7]

THOMAS MACLELLAN of Bomby. He had a precept of clare constat 21 May 1514.[8] He had a charter of the lands of Plumtoun 11 November 1521.[9] He was killed in a quarrel at the Kirk Style in the High Street of Edinburgh, 11 July 1526, by the Lairds of Drumlanrig and Lochinvar. The reason of this quarrel has never yet been given by any writer, but it is not far to seek. On 26 June 1526, only a fortnight before his murder, Thomas Maclellan had presented a supplication against James Gordon of Lochinvar, anent the taking and delivering of his mother, *spouse to the said Thomas*, to Robert Scott, son of Adam Scott of Tushielaw.[10] Maclellan then had married, hard upon the death of her first husband in 1525,[11] the wealthy and possibly otherwise attractive widow of Sir Robert Gordon of Lochinvar, whose maiden name was Marion Accarsane,

[1] Edin. Tests. [2] *Retours, Kirkcudbright*, 126, 137. [3] *Reg. Mag. Sig.*, 26 July 1616; cf. 8 February 1611. [4] *Gen. Reg. Inhib.*, 11 March 1616. [5] *P. C. Reg.*, 2nd series, iv. 84, 397: in the first passage Minto is clearly a clerical error for Nunton; the second proves the relationship of the younger Robert to Robert of Nunton. [6] *P. C. Reg.*, 2nd series, v. 652. [7] MacClellan's *Record of the House of Kirkcudbright*, 26, *Reg. Mag. Sig.*, 29 December 1537. [8] *Exch. Rolls*, xiv. 557. [9] Confirmed 25 January 1521-22, *Reg. Mag. Sig.* [10] *Acta Dom. Conc.*, xxxvi. 18. [11] Not 1520, as usually stated.

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heiress of Glen. But whatever her attractions may have been she cannot have been very young, as at this time she had a grown-up family. Doubtless the taking away of this important lady, with all her claims to terce of her late husband's and the entire rents of her own lands, from her own family was the occasion of much bitterness, and led to the affray which resulted in the death of Maclellan. It is probable that Lady Gordon was not the first wife of the laird of Bombie; indeed, as Sir Robert Gordon did not die till 1525, and Maclellan's death took place in the middle of the following year, she could not have been the mother of both the children he left. They were probably the issue of a former wife whose name is not on record. They were:—

1. THOMAS.
2. *Margaret*, married to James Johnston of Wamphray, a younger son of James Johnston of that Ilk.[1]

THOMAS MACLELLAN of Bombie was a minor at his father's death, and his uncle William of Nunton was his tutor.[2] He had sasine of the estates 1541,[3] and had a Crown charter erecting them into the barony of Bombie August 1542, in which he is styled son of Thomas, and grandson of William;[4] which grant was confirmed by Parliament 15 March 1542-43.[5] He died in 1547, probably slain at Pinkie. He married Marion Kennedy, daughter of Gilbert, second Earl of Cassillis,[6] who survived him, and in 1562 was the wife of William Campbell, younger of Skeldon.[7]

Thomas Maclellan was succeeded by his son,

THOMAS MACLELLAN of Bombie, who was also a minor at the time of his father's death, and Thomas Maclellan of Auchlane became his tutor.[8] The latter, in 1547, came to the relief of the town of Kirkcudbright, which was invested by an English force under Sir Thomas Carleton of Carleton, and forced him to raise the siege.[9] Thomas

[1] Fraser's *Annandale Family Book*, I. xxxi. [2] *Acta Dom. Conc. et Sess.*, vi. 142. [3] *Exch. Rolls*, xvii. 771. [4] *Reg. Sec. Sig.*, xvii. 6; the record is torn, and the day of the month gone; the year of granting is given on Crawfurd's authority. [5] *Acta Parl. Scot.*, ii. 415. [6] Cf. vol. ii. 467; *Acts and Decreets*, iv. 285. [7] *Ibid.*, xxiv. 245. [8] *Ibid.*, iv. 285. [9] *Record*, 28.

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Maclellan of Bombie was Provost of Kirkcudbright 1565.[1] He had a charter on 6 December 1569 of the ground and site of the Friars Church, in Kirkcudbright, on which to build a house. Here, twelve years later, he erected his handsome mansion, the ruins of which still stand. It is, however, doubtful whether it was ever completely finished, and it has been roofless since 1752. He was made a Gentleman of the King's Chamber 15 October 1580.[2] On 11 February 1591-92 Thomas Maclellan of Bombie had a Crown charter of Skelrie and other lands in the barony of Etoun, co. Wigtown, to be held from the Commendator of the Priory of St. Mary's Isle; and the lands of Overlaw and others, in the Stewartry of Kirkcudbright, to be held of the Commendator of Dundrennan; and considering that he and his predecessors had been for many years bailies of the lands of Kirkcryst, which had fallen to the King as part of the temporality of the bishopric of Galloway, the King constituted Thomas and his heirs hereditary justiciars and bailies of the said lands and barony, with power to hold wapenshawings.[3] On 19 October 1591 he had a charter of the eight-merk lands of Kirkcryst, purchased from John Kennedy of Blairquhan, and his wife Margaret Keith.[4] On 29 July 1592 he had a charter of the lands of Culcaigreis and others, in the lordship of Galloway-under-Cree, which he purchased from Sir John Seton of Barns.[5] On 12 November 1594 he and his son and heir, Robert, had a charter from James Murehead of Lauchop, selling him the lands of Balgreddane.[6] He acquired the two-merk lands of Auchenglour from William M'Culloch of Myretoun, and had a charter of them 2 December 1594.[7] On 5 June 1597 he resigned his lands in favour of his son Robert, who had a charter erecting them *de novo* into the free barony of Bombie.[8] In 1570 he sold the Kirk of St. Andrew, then disused, and also the Kirk of the Grey Friars (of the site of which he had got a grant in 1569 as previously stated), undertaking to support the chancel, being one-third of the building, if the parishioners would uphold the other two-thirds. This building continued to be used as the parish

[1] *Exch. Rolls*, xix. 300. [2] *P. C. Reg.*, iii. 323. [3] *Reg. Mag. Sig.* [4] Confirmed 26 December 1593, *ibid.* [5] Confirmed 4 August 1610, when his son had a novodamus of them, *ibid.* [6] Confirmed 7 June 1595. [7] *Ibid.* [8] *Ibid.*

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church down to 1838; and over the family vault is a fine monument with his effigy, and with two heads, probably portraits of himself and his wife, in the spandrils above the arch, erected by his son, Lord Kirkcudbright. He died in July 1597. He married, first, Helen, daughter of Sir James Gordon of Lochinvar, who died 26 November 1581;[1] and, secondly (contract January 1584), Grisel, daughter of John Maxwell, fourth Lord Herries,[2] by whom he had issue:—

1. ROBERT, afterwards Lord Kirkcudbright.
2. *William* of Glenshinnoch, Provost of Kirkcudbright. Died before 26 November 1631,[3] having married Rosina, daughter of Sir Andrew Agnew of Lochnaw. He had by her:—
   (1) *William*, mentioned 1631.[4] Died *s.p.*
   (2) THOMAS, second Lord Kirkcudbright.
3. *John* of Borgue. He married, first, his kinswoman Elizabeth, daughter and heiress of William Maclellan of Auchlane;[5] and, secondly (contract 12 December 1615[6]), Margaret, daughter of William Coupar, Bishop of Galloway. She survived him, and married, secondly, before 21 July 1621, John MacCulloch of Ardwall.[7] By her John Maclellan had issue:—
   (1) JOHN, third Lord Kirkcudbright.
   (2) *William* of Auchlane, of whom afterwards.
   (3) *Margaret*.[8]
4. *Margaret*, married, first, to William Maclellan of Gelston;[9] secondly, to Patrick Vaus of Librack.[10]
5. *Marion*, married, first, to Thomas Maclellan of Nunton, and, secondly, to John Glendonwyn, younger of Parton, both of whom she survived.[11]

I. ROBERT MACLELLAN of Bombie was under age at his father's death, and had for his tutor Sir William Maclellan of Auchlane. The latest date at which the latter is styled tutor in the records is on 23 October 1611,[12] but Robert chose curators 24 November 1601.[13] By 3 October 1607

[1] Testament confirmed 11 March 1591-92, Edin. Tests. [2] Vol. iv. p. 413. [3] *Reg. Mag. Sig.* [4] *Ibid.*, 26 November 1631. [5] *Record*, 33. [6] *Reg. of Deeds*, cclxvii. 84. [7] *Gen. Reg. of Inhibitions*, 11 September 1621. [8] *Ibid.* [9] *Reg. Sec. Sig.*, liv. 76. [10] *Edin. Com. Decreets*, 12 March 1611. [11] *Ibid.*, 29 June 1598. [12] *Laing Charters*, No. 1620. [13] *Acts and Decreets*, cxcix. 60.

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Sir Robert had been knighted, and was Provost of Kirkcudbright.[1] He had a tumultuous and stormy career; the old feud between the Maclellans and the Gordons having again broken out, he and others of his clan, along with members of the hostile faction, were summoned before the Privy Council in the early part of 1608, and a peace was patched up between them.[2] On 26 May 1608 he was again before the Council on the charge that having 'consavit a most unkyndlie privat grudge' against his kinsman and former tutor, William Maclellane of Auchlane, he lay in wait to assassinate him.[3] A few months after this he, on 25 July 1609, assaulted Robert Glendinning, the minister of Kirkcudbright, at a session meeting in the church,[4] and not long after was again in trouble, being charged with having shot at George Glendinning of Drumrasche while he was riding to New Abbey, to see his sister, the wife of David Maxwell of Newark.[5] There was a countercharge of assault and pursuit with a drawn sword, but this was not proved. Ultimately Sir Robert purchased a remission under the Great Seal for the offence, saying he had satisfied the party injured; but this was found to be untrue, and he was sued and found liable in a thousand merks.[6] He seems to have been a particularly riotous young man: he was not well out of one scrape before he was into another. On 8 December of the same year there is a complaint by Gilbert Brown of Largs to the effect that on the links of Leith he had met Sir Robert, who had been 'recreating' himself in Edinburgh, and was pursued by him with a drawn sword, to the danger of his life. Maclellan was promptly ordered to ward himself, first in St. Andrews, and then in Edinburgh, till he had paid a fine of a hundred merks.[7] Six months afterwards he was again warded, this time in Blackness, for his participation in an affray in the street of Kirkcudbright, and fined three thousand merks.[8] It was probably in connection with this affair that he and certain others of his clan got letters of remission on 29 September 1609, 'pro gestione et jaculatione machinarum et machinularum quibuscunque temporibus seu locis ante diem

[1] *P. C. Reg.*, viii. 50. [2] *Ibid.*, 57, 64. [3] *Ibid.*, 98. [4] *Ibid.*, xiv. 531. [5] *Ibid.*, viii. 195-196. [6] *Ibid.*, xiv. 603. [7] *Ibid.*, viii. 205, 215. [8] *Ibid.*, 296, 347.

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date.'[1] He seems to have sobered down after this, as he does not appear again in the Council Records for any serious misdemeanour, but seems to have been engaged in the laudable enough pursuit of adding to his lands. On 14 June 1614 he had a Crown charter of the lands of Twynam and others, which were erected into a barony.[2] On 28 of the same month he had another charter of Lessens, in the parish of Minnigaff, resigned by Thomas Maclellane of Balmangane, with consent of William Maclellane of Sannik, reserving liferent to Elizabeth M'Kynnestre, mother of the last-mentioned.[3] On 11 September 1616 he acquired the lands of Cors, with the advocation of the church of Anwoth, and the rectory and vicarage of the churches of Twynam and Kirkcrist.[4] In 1621 he was member of Parliament for the county of Wigtown,[5] and voted for the ratification of the Five Articles of Perth. As might have been expected from his character, Sir Robert became seriously embarrassed financially. In 1622 he had letters of caption issued against him at the instance of his sister-in-law Margaret Coupar, and John M'Culloch of Ardwall, her then spouse. In attempting to serve these the messenger-at-arms was assaulted and severely wounded by Maclellan and his friends,[6] and from that date onwards there are records of many mortgages being executed on his extensive estates. Notwithstanding this he took some part in public affairs, and was made a Justice of the Peace for Kirkcudbright and Wigtown in 1623,[7] and a Commissioner for the Borders in 1625.[8] He was one of the Adventurers for the Plantation of Ireland,[9] and on 2 November 1625 had a Commission to raise 50 horse and 100 foot for service in that country.[10] He indeed resided in Ireland a great deal, and held considerable property there. In 1610 he was granted the Rosses, co. Donegal, erected into a manor, to be held as of the Castle of Dublin, in common soccage, 19 September 1610.[11] These he afterwards conveyed to John Murray, afterwards Earl of Annandale. He also took Ballycastle, co. Londonderry, an estate belonging to the Haberdashers' Company, extending to 3210 acres, for sixty-one years, and

[1] *Reg. Mag. Sig.* [2] *Ibid.* [3] *Ibid.* [4] *Ibid.* [5] *Acta Parl. Scot.*, iv. 593. [6] *P. C. Reg.*, xiii. 17. [7] *Ibid.*, 344. [8] *Ibid.*, 2nd series, i. 193. [9] *Ibid.*, xiv. 557. [10] *Ibid.*, 2nd series, i. 196. [11] Inquis. at Lifford, 27 March 1620.

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the Clothworkers' estate, in the same county, for a similar term.[1]

On 11 December 1628 he had a protection to come over from Ireland, 'where his residence has beene this long tyme bygane,' to free himself from debt and satisfy his creditors, but only on condition that he paid the King's taxes.[2] Whether he succeeded in doing this is doubtful, as heavy mortgages continued to be made on his estates down to within a few years of his death. He must have made himself useful to the Government, probably by his services in Ireland, as on 25 June 1633 he was created LORD KIRKCUDBRIGHT, with remainder to his heirs-male bearing his name and arms, a destination which was subsequently held by the House of Lords to carry the Peerage to heirs-male whatsoever.[3] Lord Kirkcudbright enjoyed his elevation to the Peerage only a few years, and died 18 January 1638-39.[4] He married, first (contract 18 and 26 October 1603[5]), Agnes, sixth daughter of Hugh, first Lord Loudoun; secondly, 'some years before 1623,' Mary Montgomery, daughter of Hugh, first Viscount Montgomery of the Great Ards.[6] She died before September 1636, and he married, thirdly, Mary, daughter of Robert Gage of Raunds, Northamptonshire, widow, first, of John Rowley of Castleroe, co. Londonderry, and, secondly, of Sir George Trevelyan. She died at Castleroe 7 August 1639, and was buried in the parish church of Coleraine.[7] Lord Kirkcudbright had, by his first wife, an only daughter,

1. *Mary* (called Ann by Sir William Fraser and other authorities), who was 'of full age and married' before 29 September 1639.[8] She was married to Sir Robert Maxwell of Spottis or Orchardtoun, first Baronet, and died 1650.[9]

II. THOMAS, second Lord Kirkcudbright, who succeeded, was the second but eldest surviving son of William Maclellan of Glenshinnoch, immediate younger brother of the

[1] Pynnar's *Survey*. [2] *P. C. Reg.*, 2nd series, ii. 254. [3] Riddell's *Peerage Law*, 622-628. [4] *Inq. p. m.* at Londonderry, 21 September 1639. [5] Protocol Book, W. M'Kerrell, f. 61. [6] *The Montgomery Manuscripts*, 67. [7] Funeral Entry, Ulster's Office. [8] Inq. *p. m.* at Londonderry, 1639. [9] Chancery Petitions, Ireland. Sir Robert Maxwell and others, executors of Lord Kirkcudbright.

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first Peer. He seems to have recovered many of the lands mortgaged by his uncle, as he and his wife had a charter of Twynam, Bombie, Lochfergus, and others on 5 February 1642.[1] He was a zealous Presbyterian and Covenanter, and took part, under Leslie, in the battle of Duns Law in 1639. In 1640 he was appointed colonel of the South Regiment of Cavalry, and accompanied Leslie in his invasion of England that year. In 1644 he was appointed Steward of the Stewartry of Kirkcudbright on the forfeiture of Lord Nithsdale.[2] On 13 September 1645 he was at the battle of Philiphaugh in command of a regiment which he had raised in Galloway at his own expense, and to which on its disembodiment in 1647 the Scottish Parliament voted a sum of £12,963 as a reward for its gallantry.[3] Lord Kirkcudbright died in Ireland May 1647. He married Jonet Douglas, daughter of William, first Earl of Queensberry. She died 1651, leaving no surviving issue.

III. John, third Lord Kirkcudbright, was a cousin of the last holder of the title, being son of John Maclellan of Borgue, the youngest brother of the first Peer. He was a zealous Presbyterian, but he was an equally enthusiastic opponent of Cromwell and the Independents. His devotion to the cause which he supported led to great personal sacrifices; and in his time again many mortgages were carried out on his estates. In December 1649 his regiment, which had been sent to Ireland, was surprised and nearly cut to pieces by the Parliamentary troops at Lissnagerry, in Ulster. In 1653 Bombie was apprised from him for large loans, and this was followed by similar proceedings as to Skellarie and Kirkcudbright. All the reward he got for his services was the barren honour of bearing the king's train at the coronation of Charles II. at Scone in 1650. In 1663 he opposed the introduction of John Jaffrey as Episcopalian minister to the church of Kirkcudbright, and serious rioting took place. Lord Kirkcudbright and others were apprehended, carried to Edinburgh, imprisoned, and fined.[4] He died in 1665. He married, before 1642, Ann, daughter of Sir Robert Maxwell of Orchardton, by Mary,

[1] *Reg. Mag. Sig.* [2] *Acta Parl. Scot.*, vi. pt. i. 210. [3] *Ibid.*, 687.
[4] *New Statistical Account*, iv. 15.

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the daughter of the first Lord Kirkcudbright. By her he had issue an only surviving son,

IV. William, fourth Lord Kirkcudbright, who did not long enjoy the title, as he died 29 March 1668,[1] a minor and unmarried. During his lifetime the whole estate of his father was seized by creditors. The succession then opened to the descendants of

William Maclellan of Auchlane, second son of John Maclellan of Borgue (*see ante*, p. 264), and brother of John, third Lord Kirkcudbright. He had two sons:—

1. *John*, who is said to have died a minor, and if ever entitled thereto, certainly did not assume the title.
2. James.

V. James, fifth Lord Kirkcudbright, was born about 1661.[2] He does not appear to have assumed the title till his vote was urgently required, and was of value in an election of Representative Peers in 1721, when there was a keen contest between the Earls of Aberdeen and Eglintoun. His vote was objected to, but he voted at that and subsequent elections of Peers up to 1727. On 15 February 1729 he was served heir to his uncle John, third Lord Kirkcudbright. He died in 1730.[3] He is said to have married Margaret Drummond,[4] and left issue three daughters:—

1. *Margaret*, married to Samuel Brown of Mollance, and died 1741.
2. *Mary*, died unmarried.
3. *Janet*, married to William Maxwell of Milton.

James, fifth Lord Kirkcudbright, having left no male issue, the succession opened to the Balmangan branch descended from

Gilbert Maclellan in Balmangan, third son of Thomas Maclellan of Bombie (*see ante*, p. 259). He married Margaret, daughter of Andrew, second Lord Herries of Terregles. (*See title* Herries.)

1. *Thomas*, of Barmagachan.

[1] *P. C. Decreta*, 9 April 1668. [2] Wood's Douglas's *Peerage*, ii. 61. [3] Exec. Papers, *Kirkcudbright Com.* [4] *Record*, 86.

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2. WILLIAM in Balmangan.
3. *James* of Sennick.

WILLIAM MACLELLAN in Balmangan witnessed two charters 24 June 1573.[1] He purchased the lands of Drumrukalzie from John Lennox of Cally, from whom he had a charter 21 April 1587.[2] On 30 March 1588 he had a Crown charter of that part of the lands of Balmangan called Grange of Sennick.[3] When Auchlane was acquired in 1597 by his kinsman William Maclellan, the heirs male and female of William of Balmangan are mentioned as the first persons to whom the lands were to go, failing issue of the grantee. He died September 1605.[4] He married Margaret, daughter of John Gordon of Airds.[5] They had issue:—

1. THOMAS.
2. *Gilbert* of Galtway, who married (contract 23 April 1588) Margaret, daughter of William Maclellan of Croftis, afterwards of Auchlane.[6]
3. *James*, died in 1606.[7]
4. *Agnes*, married, before 1571, to John Lennox of Cally.[8]
5. *Helen*, married (contract 22 January 1593) to Alexander Mure, son and heir of John Mure of Cassencary. He died before 25 December 1600.[9]

THOMAS MACLELLAN of Balmangan was served heir to his father, 31 July 1606, in the lands of Balmangan, *alias* Grange of Sennick, and others.[10] He married, first, Janet Maclellan, who died 13 June 1597,[11] and, secondly, Florence M'Ghie, widow of James Charteris, younger of Kelwood,[12] and of Roger Gordon of Whytepark,[13] but by her he had no issue.

By his first wife he had issue:—

1. JAMES.
2. *William.*
3. *Cilbert.*
4. *Thomas*, witnessed a charter 8 July 1616. Mentioned with his two eldest brothers in an entail of Gelston 22 January 1606.

[1] *Reg. Mag. Sig.*, 23 November 1574 and 18 November 1583. [2] *Ibid.*, 31 July 1587. [3] *Ibid.* [4] Edin. Tests. [5] M'Kerlie, iii. 204. [6] *Reg. Mag. Sig.*, 7 May 1591. [7] M'Kerlie, iii. 204. [8] *Ibid.* [9] *Reg. Mag. Sig.* [10] *Retours, Kirkcudbright*, 70. [11] Edin. Tests. [12] M'Kerlie, iii. 205. [13] *Reg. Mag. Sig.*, 13 December 1625.

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5. *Margaret*. 6. *Elspeth*.
7. *Grisel*. 8. *Janet*.
9. *Agnes*. All these named in their mother's testament.

James Maclellan of Balmangan married Jean Charteris, daughter of his stepmother, Florence M'Ghie, by her first husband. He appears as a consenting party in a charter granted by her 8 July 1618, in which he is styled 'apparent of Balmangan.'[1] He is said to have died after 1639,[2] leaving issue a son,

Robert Maclellan of Balmangan. In 1662 he was fined £240 for his adherence to Presbyterianism. He became cautioner for his kinsman Lord Kirkcudbright, and had in consequence his estate apprised from him by decreet of the Lords of Session 1666. He afterwards acquired the lands of Borness, and died in 1690, at the age of eighty or upwards.[3] His wife's name is not known, but he left two sons:—

1. William of Borness.
2. *Robert*, who succeeded to Balmangan, and had sasine of that property 9 June 1704. He was the last who owned these lands.

William Maclellan of Borness married (contract 1672) Agnes, eldest daughter of William MacCulloch of Ardwall. He died 1694, and his widow in 1695. They had an only son,

VI. William Maclellan of Borness, who was served heir to his father 31 July 1696. On the death of James, fifth Lord Kirkcudbright, he assumed the title and was served heir-general to him 9 April 1734.[4] The Lords of Session, in their report on the Union Roll in 1739, state that William Maclellan had voted as Lord Kirkcudbright at the election of Representative Peers in 1734 and at subsequent elections down to 1739. At the election of 1741 a protest was entered against his vote by James Maclellan, eldest son of the deceased Sir Samuel Maclellan, Lord Provost of Edinburgh,

[1] *Reg. Mag. Sig.*, 18 February 1619. [2] Wood's Douglas's *Peerage*, ii. 63. [3] *Complete Peerage*. [4] Robertson's *Proceedings*, 183.

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in which he stated that the question of the right to the Peerage had been referred by the King to the law officers of the Crown. The votes of both parties seem to have been received.[1] At the next election protests were given in by both claimants: that of William Maclellan stated that the Lord Advocate and Solicitor-General for Scotland had reported on James Maclellan's petition to the effect that he had not made good the allegation that he was the nearest heir-male of the first Lord Kirkcudbright, and that in consequence his claim to the Peerage fell to the ground.[2] James Maclellan lodged another protest, and again both their votes seem to have been taken. James, however, did not pursue his claim further, and William Maclellan voted as Lord Kirkcudbright at all subsequent elections of Peers down to 1761, except at that of 1744. On 17 March 1761 the House of Lords ordered that Lord Kirkcudbright along with certain other Peers should lay before the House the grounds of his claim, and on 26 November of that year they ordered that he should not take upon himself the title, honour, and dignity of Lord Kirkcudbright until his claim should have been allowed in due course of law.

How far William Maclellan used his title, though claiming it, is doubtful. He was in poor circumstances, and followed the occupation of a glover in Edinburgh; for many years he stood in the lobby of the old Assembly Rooms and disposed of his wares to the dancers.[3] At the ball following the election of the Representative Peers, however, he is said to have attended as a Peer, and not as a glover. The date of his death is uncertain, but it must have been between 1761 and 1767. His wife's name is stated[4] to have been Margaret Murray, but nothing further is known of her. They had issue:—

1. —— a son, died at Edinburgh in March 1741.
2. John.

VII. John, seventh Lord Kirkcudbright, was an ensign in

[1] Robertson's *Proceedings*, 231, 234. [2] *Ibid.*, 237. [3] This story has been told also of one of the Lords Ochiltree, but there is no doubt that William, Lord Kirkcudbright, was a glover. Oliver Goldsmith refers to him as such, calling him 'Lord Kilcubry,' and he is also described as 'a glover' in a protest in 1734 by the rival claimant; Robertson's *Proceedings*, 154. [4] Wood's Douglas's *Peerage*.

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the 30th Regiment of Foot 1756, and a lieutenant 1758. He was abroad at the time of his father's death, but in 1767 he presented a petition to the King,[1] praying His Majesty to declare and establish his right and title to the honour. On 3 May 1772 the claim was admitted in the House of Lords,[2] and at the next general election of Representative Peers his vote was duly recorded in the name of Lord Kirkcudbright. He ultimately rose to the rank of a lieutenant-colonel in the 3rd Foot Guards 1784, and retired from the service 1789. He died in Hereford Street, London, 24 December 1801, in his seventy-third year, and was buried at Paddington. He married, about 1768, Elizabeth, daughter of —— Banister.[3] She died in London 15 June 1807. They had issue:—

1. Sholto Henry.
2. Camden Gray.
3. *Elizabeth*, born 18 April 1769; married, 31 May 1795, to Finlay Fergusson, of Hinde Street, London.

VIII. Sholto Henry, eighth Lord Kirkcudbright, born 15 August 1771, died *s.p.* at Raeberry Lodge, Southampton, 16 April 1827, and was succeeded by his brother. He married, 28 March 1820, Mary, daughter of —— Cantes. She married, secondly, 17 November 1828, Robert Davies, R.N., and died at Cowes, 28 May 1835.

IX. Camden Gray, ninth Lord Kirkcudbright, born 20 April 1774; an officer in the Coldstream Guards, 1792-1803; died, 19 April 1832, at Bruges, *s.p.*, when the Peerage probably became dormant. He married Sarah, daughter of Colonel Thomas Gorges; she died at Bath 21 January 1863, aged eighty-two.

Creation.—25 June 1633, Lord Kirkcudbright, in the Peerage of Scotland.

Arms (not recorded in Lyon Register, but given by Nisbet).—Or, two chevrons sable.

[1] Wood's Douglas's *Peerage*, 328. [2] *Ibid.*, 373. [3] *Ibid.*; the *Complete Peerage* gives as an alternative 'Bannerman of Hampstead or Hampshire, in the Isle of Wight.'

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Crest.—A naked arm supporting on the point of a sword a Moor's head proper. A later crest was, A bomb, or mortar-piece, proper.

Supporters.—Dexter, a man armed at all points, holding a baton in his hand; sinister, a horse garnished.

Mottoes.—With the first crest—*Think on*; with the second crest—*Superba frango*.

[J. B. P.]

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Lauderdale

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MAITLAND, EARL OF LAUDERDALE

OVER the original entrance to the old castle of Lethington—now known as Lennoxlove—the following inscription is carved:—

QVISNAM . A . MÆTELLANA . STIRPE . FVNDAMENTA . FECERIT . QVIS . TVRRIM . EXCITAVERIT . INVIDA . CELAVIT . ANTIQVITAS . LVMINARIA . AVXIT . FACILIOREM . ASCENSVM . PRAEBVIT . ORNATIOREM . REDDIDIT . JOANNES . MÆTELLANUS . LAVDERIAE . COMES . AN . ÆRAE . CHR . MDCXXVI.[1]

And the same obscurity surrounds the origin of the Maitland race itself.

The Italian descent, which had been ascribed to the Maitlands by Martin of Clermont, is rejected by Sir Robert Douglas, who suggests that more probably they came from France, a theory which Mr. Wood adopts, and the name Mautalent certainly appears in Leland's Roll.[2] As with many another ancient house, their earlier muniments are no longer available to the investigator. For the purpose of security these were, after the battle of Dunbar, deposited in three iron chests in the 'yeard of Balcarras,' but unfortunately 'the underwater came throw the seemes of the

[1] *Poems of Sir Richard Maitland*, Maitland Club, lxiii. See MacGibbon and Ross, iii. 257, where with other variants *jecerit* is given for *fecerit*.
[2] *The Battle Abbey Roll*, i. xxix; *Scalacronica*, 14.

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yron chists in which they were put and spoyled the saids writs.' It turned out, however, that the first Earl of Lauderdale—the author of the Lethington inscription—whose reputation for integrity and accuracy stood very high, had with his own hand made an inventory of his muniments, and that that inventory was safely preserved. So, after the Restoration, an Act of Parliament was passed reciting the inventory at length, and making it equivalent in law to the original writs which it contained.[1] But no Act of Parliament can supply the descriptions of lands, the names and designations of witnesses, and all the other details so valuable for genealogical purposes, which are lost for ever; and it also contains mistakes, which, though obvious, it is often impossible to rectify.

It is clear that various persons of the name of Maitland had been settled in the north of England before the close of the twelfth century.[2] Some of these even bear Christian names, such as Richard, Robert, and William, which reappear frequently in the family with which this article deals, and there are also other grounds for thinking that they are all of the same stock.

The first of the name who appear in Scotland are (1) Thomas Mautalent, who in 1227 witnessed a charter by John de Landelles to the monks of Melrose,[3] and who may possibly be identical with the Thomas Mautalent who is designed as a knight in a charter by Sir Thomas de Alneto to the same monks;[4] and (2) William Matalent or Mautalent who, between 1220 and 1240, figures as witness to various charters in favour of the monks of Kelso, in more than one of which he and other of the witnesses are designed as 'servientes abbatis.'[5] Without apparent warrant both Sir Robert Douglas and Mr. Wood treat these persons as father and son, and make the latter the father of Sir Richard Maitland, the first undoubted ancestor of the family who has yet been discovered.

Among the Anglo-Norman adventurers introduced in such numbers by King David I. Hugh de Moreville was conspicuous by his good fortune. He was made Constable

[1] *Acta Parl. Scot.*, vii. 134. [2] *Cal. Doc. Scot.*, vol. i. See index, *sub voce.* [3] *Liber de Melros*, i. 247. [4] *Ibid.*, 187. [5] *Liber de Calchou*, *e.g.* i. 153. In the index he is erroneously designed W. *de* Matalent.

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of Scotland, and received large possessions in Lauderdale and elsewhere. By his wife, Beatrice de Campo Bello, he left a son Richard, who married Avicia de Lancaster, and died in 1189, leaving a son William, who died without issue in 1196, and a daughter Elena, who married Roland, Lord of Galloway, and had by him a son Alan, who succeeded to the office of Constable and to the vast estates of his parents. Alan, Lord of Galloway, died in 1234, leaving three daughters, Elena, married to Roger de Quinci, Christian, married to William de Fortibus, and Devorgilla, married to John Baliol. With this great family the early proprietors of Thirlestane were closely connected. By Hugh de Moreville the lands of Thirlestane were granted to Elsi, the son of Winter, in excambion for his lands of Newintonia, for the yearly payment of 111 merks.[1] This Elsi was succeeded by his son Alan, who appears among the witnesses to various undated charters of Richard de Moreville, William de Hounam, and other ecclesiastical benefactors, in one case as Alan, son of Elri (*sic*),[2] and in others as Alan de Turlestan,[3] and Alan de Thirlestan.[4] He is also witness to an agreement between William de Vetereponte or Vipont and the monks of Kelso in 1203,[5] and to a charter by Roland of Galloway, Constable of Scotland, to the same monks, undated, but probably *circa* 1190.[6]

The next possessor of Thirlestane was Thomas de Thirlestane—probably Alan's son—who, by an undated charter, gave to the monks of Dryburgh the tithes of his mill of Thirlestane,[7] and along with Agnes, his wife, granted to the monks of Kelso a tack or wadset of certain land within the territory of Thirlestane called Hedderwick for the space or term of ten years, dated on the Feast of Pentecost 1223.[8] He was possessed also of the lands of Abertarff in Inverness-shire, acquired probably when Southrons were being settled in the north for the purpose of overawing the restless men of Moray. In 1225 he entered into an agreement with Andrew, Bishop of Moray, anent the tithe of the royal *Can* used and wont to be paid from

[1] *Acta Parl. Scot.*, vii. 138. [2] *Liber de Melros*, i. 95. [3] *Ibid.*, 82, 96. [4] *Liber de Dryburgh*, 269. [5] *Liber de Calchou*, i. 112. [6] *Ibid.*, 212. [7] *Liber de Dryburgh*, 91. [8] *Acta Parl. Scot.*, vii. 138.

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these lands prior to his infeftment.[1] He was killed in 1228 in the course of a rising by Gillescop, who attacked his fortalice by night.[2] It is said that he had an only daughter who married Sir Richard Maitland, and brought to him her father's estates, and though there is no absolute evidence, the story seems probable, especially as some of the old writs mentioned in the Act of 1661 suggest succession rather than acquisition on a singular title. Moreover, among the writs maliciously stolen by Edward I. from the national Treasury were: 'Item, carta de Abirtarf. . . . Item, carta Thome de Thirlestan. . . . Item, Littera quieteclamacionis Ricardi Mantaland de terra de Abirtharf.'[3] Thomas of Thirlestan was survived by his wife, for in a grant dated *circa* 1260 of Houbeuchowsyd (Haubentside), in territorio de Thirlestan by Richard Maitland to the monks of Dryburgh, for the wellbeing of his own soul and of Avicia, his wife, and of all his ancestors and successors, the terce of the lady Agnes, sometime wife of Thomas de Thirlestan, is expressly reserved.[4]

Of the origin and identity of this Richard Maitland nothing is certainly known. Most probably he is the same Richard Maitland who is found among the witnesses to a charter of the pasture of Lammermoor to the monks of Melros by Alan, the son of Roland, the Constable,[5] and it may well be that he is also the same Richard Maitland who in 1230, and again in 1236, was engaged in litigation with Hugh de Morvic about land in Chivinton near Alnwick, and on each occasion paid forty shillings to the King of England as the fee of four justices.[6] From the Act of 1661 it appears[7] that amongst the evidents of the family were (1) a 'bond by Patrick, Abbot of Kelso, and the convent thereof, in which they obliged themselves not to prejudge Roger de Quinci, Earl of Winchester, Constable of Scotland, by an agreement betwixt them and Sir Richard Maitland and William, his eldest son, anent the lands of Hedderwick and pasturage of Thirlestane and Blyth within their terme'; as Patrick was Abbot between September 1258 and some time in 1260,

[1] *Registrum Moraviense*, 20. [2] *Scotichronicon*, ix. 47, where he is mysteriously described as 'quendam latronem nomine Thomam de Thirlestan.' [3] *Acta Parl. Scot.*, i. 110. [4] *Registrum de Dryburgh*, 87. [5] *Liber de Melros*, i. 233. [6] *Cal. Doc. Scot.*, i. Nos. 1111, 1275; see also *ibid.*, ii. No. 1154. [7] *Acta Parl. Scot.*, vii. 138.

the approximate date of the writ can be fixed without difficulty; and (2) an 'indenture between Sir Richard Maitland, Knight, and Johannem Anglicum anent the warrandice of a charter granted by Thomas de Thirlestane, and the said Sir Richard his confirmation anent a pasturage common of Thirlestane and Lamlech,' also said to be without a date. Such is the only material known which certainly bears on the true founder of this noble family, and so far as the records are concerned all that can be said about him is that he probably came from Cherinton in Northumberland, that he acquired Thirlestane, Hedderwick, and Blyth, probably through marriage with the heiress of Thomas de Thirlestane, that he received the honour of knighthood, that his wife's name was Avicia, and that he had issue, including his successor William. Various facts, however, show that he must have been a man of note in his time. He is the hero of the well-known ballad of *Auld Maitland*,[1] which deals largely with the brave defence of his 'darksome house' of Thirlestane in his old age against a large English force—as well as with the adventures of his gallant sons. Gawain Douglas, Bishop of Dunkeld, introduces him into the *Palace of Honour* along with such other heroes as Gow Macmorran, Fin MacCowl and Robin Hood. And so thoroughly had this old story taken hold of the popular mind, that when the anonymous writer of the Consolator Ballad, some time towards the end of the sixteenth century, essays to comfort the then Sir Richard Maitland in the midst of all his sorrows and troubles, he urges on him the memory and example of his illustrious ancestor,

> 'Richerd he wes, Richerd ye ar also
> And Maitland als, and magnanime are ye.'[2]

According to the ballad, Sir Richard had three sons, but of these only the name of one is known, and the other two are said to have predeceased their father. He was succeeded by his son

WILLIAM, whose praises are sung in the Consolator

[1] *Minstrelsy of the Scottish Border.* [2] *Poems of Sir Richard Maitland*, lxvii.

Ballad,[1] under the designation of Burd-alane. In the bond by the Abbot and Convent of Kelso above-mentioned, 1258-60, he is described as Sir Richard's eldest son,[2] and he must therefore have been born prior to 1260.[3] For the wellbeing of his own soul, and of his father and mother, and his wife, and all his predecessors and successors, he confirmed to the monks of Dryburgh the land of Houbeuchowsyd (Haubentside), 'quam dominus et pater meus Ricardus eisdem dedit in territorio de Thirleston.'[4] About the same time also, as 'Willelmus Mautaland filius Ricardi Matalent,' he confirmed a charter by Henry de Besingham to the same monks.[5] His successor in Thirlestane was

Robert Maitland, the eldest son, according to tradition, which there is no reason to doubt. He was in possession of Thirlestane, at all events, by 1293, when William, the son of Edward, resigned the land which he held of him 'in territorio villae et tenementi de Thirlestane.'[6] He is perhaps the Robert Mautalent 'del Counte de Berewyk' whose name appears on 28 August 1296 on the Ragman Roll,[7] and possibly even the Robert Mautalent who, along with his wife Christiana, had a litigation with regard to a tenement in East Chevyngton,[8] where, as has been already noted, Maitlands are found at an early date. This couple, curiously enough, had a son John, who in 1318 is described by the English as 'a Scots rebel.'[9] Among the witnesses to a charter, undated, but probably *circa* 1343, by John de Maxwell to the monks of Dryburgh of the patronage of the church of Pencateland is 'Robertus Mawtaland, dominus de Thyrlstane.'[10] He considerably increased the family estates. From King David II. he obtained a charter, probably a confirmation, of the lands of Ladystoun, Lagbie (Bagbie), and Boltoun, juxta aquam de Tyne.[11] And amongst the writs which perished at Balcarras was a charter of the 'lands of Lethingtoun and carrucat of land on the water of Tyne towards the lands of Bagbie and Boltoun, excepting Giffordgate and the pertinents

[1] *Poems of Sir Richard Maitland*, lxvii. [2] *Acta Parl. Scot.*, vii. 138. [3] *Ibid.* [4] *Liber de Dryburgh*, 89. [5] *Ibid.*, 93. [6] *Acta Parl. Scot.*, vii. 138. [7] *Cal. Doc. Scot.*, ii. No. 823. [8] *Ibid.*, No. 1154. [9] *Ibid.*, iii. 610. [10] *Liber de Dryburgh*, 271; original in Lauderdale Charter-chest. [11] Robertson's *Index*, 33-45.

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thereof, which lyeth on the south side of the water of Tyne, granted be Hugh Giffart, sonne and air of umwhile Sir Johne Giffart, knight, dñi de Yester, Roberto Maitland, dñi de Thirlestane, to be holden blensh for the payment of a pair of gilt spurs, without a date, sealled; and also Confirmation of the forsaid charter be King David under the Great Seal, apud Dunbar 15 October, anno regni sui 17, *i.e.* 1345.'[1] He is also a witness to a charter to the Abbey of Holyrood by Hugh Giffard, Lord of Yester, dated 2 December 1345.[2]

Along with a brother, whose Christian name has not been preserved, Sir Robert was killed at the battle of Neville's Cross, near Durham, on 17 October 1346.[3] He married a sister of Sir Robert Keith, Great Marischal of Scotland, who fell in the same fight, and by her had issue:—

1. JOHN, his successor.
2. *William*, who along with his brother John, dominus de Thirlstane, is witness to a charter of Robert Lauder of Quarrelwood.[4] Although the identification is not absolute, the following references seem to apply to him. In 1358 the Sheriff of Peebles reported that he had received nothing from the lands of Ormyston, which in time of peace were worth £10, or from the King's bondages of Trequayr and Inuerlethan, because they were in the hands of William Mautalent, by what title the Sheriff knew not, of which inquiry should be made and the King consulted.[5] Soon afterwards the mystery must have been cleared up, and on the resignation of Edward Keith, William Mautalent received from King David II. a charter of 'the bondage lands of Traquair and sundry others, Innerletham, Ormhuchstane.'[6] In 1361 William Mautalent was bailie of Lauderdale under William, Earl of Douglas, who then held that lordship,[7] and he appears as still holding that office in 1369.[8] About that time William Maitland is found witnessing charters to the monks of Melrose by William, Earl of Douglas, Logan of Restalrig, and others.[9] In

[1] *Acta Parl. Scot.*, vii. 136. [2] *Holyrood Charters*, 93. [3] *Historiæ Anglicæ Scriptores*, Knyghton, 2591. [4] Douglas. [5] *Exch. Rolls*, i. 567, 569. [6] Robertson's *Index*, 37-4. [7] *Acta Parl. Scot.*, vii. 142. [8] *Ibid.*, 160. [9] *Liber de Melros*, ii. 429; Reg. Ho. Charters, 151.

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1362 Isabella, wife of William Mautalent, received from the Exchequer £6 by the King's command.[1] William Mautalent of Ormiston evidently had a son, *Thomas*, who, under the designation of Thomas Mautalent, dominus de Halsington et Ormiston, with consent of his son and heir William Mautalent, granted the lands of Ormiston to Robert Dikison of Hucheonfield and the heirs begotten, or to be begotten, betwixt him and his spouse Marion, the granter's kinswoman.[2] Sir William Fraser states that the original charter at Traquair still has attached to it a small round seal, bearing a lion rampant on a shield with a label of three points, and the legend, *S. Willelmi Mautalent.*[3] About 1392 King Robert III. confirmed the grant which Thomas Mautalent of Halsyntone made to William Mautalent, his son and heir, and Elizabeth, daughter of William, called Watson, on their marriage, of the lands of Schelynlaw, Troucquair, and Innerlethane.[4] On 20 August 1406, Robert, Duke of Albany, confirmed a charter, dated 1 October 1405, by which Thomas Mautalent de Halsynton, William, his son and heir, and Margaret, spouse of the said Thomas, sold the lands of Halsynton in comitatu Marchiæ infra. vic. de Berwick, to Thomas Malville, burgess of Edinburgh.[5] On 27 September 1407, Robert, Duke of Albany, confirmed a charter by which Thomas Mautalent of Halsyngton, with consent of William Mautalent, his son and heir, sold to Thomas Watson of Cranyston the lands of Trakeware and Scheringlaw, in the township of Trakware and sheriffdom of Peebles.[6] And the dilapidation of this branch of the family was complete by 5 March 1409-10, when the Regent confirmed a charter by Thomas Mautalent, also with consent of William, his son and heir, to Mariota de Crag and William Watson, her son and heir, of his lands of Quhylta and Gressiston, in the sheriffdom of Peebles.[7]

3. *Robert.* Among the witnesses to a charter by Sir

[1] *Exch. Rolls*, ii. 114. [2] *Douglas Book*, iii. 403. [3] *Ibid.* [4] *Reg. Mag. Sig.*, fol. vol. 206, 31. [5] *Ibid.*, 217, 2. [6] *Ibid.*, 233, 28. [7] *Ibid.*, 242, 48.

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William de Abernythe to the monks of Dryburgh of the Mill of Ulkestoun, undated, *circa* 1380, are 'Johanne Mautalente domino de Thyrlystane Roberto filio suo *Roberto fratre suo.*'[1] This Robert Maitland is said to have married the heiress of Schivas of that Ilk in Aberdeenshire, and to have settled there; a tradition which seems corroborated by the fact that in 1417, Robert Matilland, dominus de Schewes, appears in an inquest with regard to the marches of Tarves and Udny.[2] Various families are said to have sprung from him; notably the Maitlands of Gight, of Auchencrieff, and of Pittrichie, whose representative became a Lord of Session in 1671, and by patent, dated 12 March 1672,[3] was created a baronet, with remainder to his heirs-male for ever.[4]

Sir Robert is also believed to have been the father of

4. *Alexander Mateland*, who obtained from Sir John de Maxwel, Lord of Carlaverock, on the resignation of Alice de Pencateland, daughter and heiress of the deceased John de Pencateland, a charter of his land of Pencateland in the sheriffdom of Edinburgh.[5] This charter is not dated, but Sir William Fraser gives reasons for placing it between 1354 and 1373.[6] He is probably also the Alexander Mautalent who in 1360 was one of the collectors for the constabulary of Edinburgh of the contribution for the King's ransom. From King David II. Alexander Maitland received a charter of the lands forfeited by John Burnard.[7] There seems, however, to have been some mistake as to Burnard's conduct, with the result that, after an inquiry before the Parliament at Perth, there were, on 17 March 1368, restored to his kinsman and heir, William de Disschyngton, the third of the half of the barony of Ardross in the sheriffdom of Fife, and the third part of the barony of Curry in

[1] Original *penes* Lord Lauderdale, printed *Registrum de Dryburgh*, 259, 274. [2] *Registrum de Aberbrothoc*, ii. 50. [3] *Reg. Mag. Sig.* [4] *The Thanage de Fermartyn*, 449 *et seq.*, contains a pedigree of these Aberdeenshire Maitlands which gives them a somewhat different descent. But unfortunately some of the more important statements are not vouched. [5] *Liber de Dryburgh*, 270. [6] *Book of Carlaverock*, i. 116. [7] Robertson's *Index*, 31-39, 36-40.

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the sheriffdom of Edinburgh, notwithstanding that the same had been granted to Alexander Maitland.[1]

JOHN MAITLAND, the eldest son, had from Robert Keith, Marischal of Scotland, in the reign of David II., a charter of the lands of Cowanstone, wherein he is designed sister's son of the granter.[2] He is also supposed to have been the John Maitland who, in the same reign, obtained a charter of the lands of Leghmure in Colbowston, apparently the same with Cowanstone or Covington,[3] in the sheriffdom of Lanark,[4] and to be the person referred to in letters of safe-conduct granted on 5 December 1363 to various Scots travellers in England, including 'Johannes Mautalent cum sex equitibus.'[5] He must have married early, for by a charter, dated *circa* 1350, 'Johannes Mautland dominus de Thirlaston, filius et heres Roberti Mautland quondam domini ejusdem,' granted Snowdon to the monks of Dryburgh 'pro salute anime mee et Felicis sponse mee.'[6] Of this lady nothing further is known, and she must have died soon. He married, subsequently, Agnes Dunbar, daughter of Sir Patrick Dunbar, and sister of George, Earl of March and Lord of Annandale and Mar. Among the Randolph estates held by the Earl of March was the barony of Tibbers in Nithsdale, and this he settled on his sister's husband and their issue. By charter given at the Castle of Dunbar, 23 August 1369, the Earl granted to John Mautalent, for his homage and service, all his lands and tenements of his barony of Tybres with their whole pertinents, to wit, the Town of Tybres, with the dominical lands and mill multures and sequels, Glengerok, Auchyngassyle, Auchnauht, Auchbynbany, Dubillay, Klouchyngare, Knokbaen, Penpount, with mill multures and sequels, and all his lands lying between Scharre and Schynnyle with all their pertinents, saving to the granter and his heirs his messuage, the mote of the castle of Tybris with Dalgernok and the lands of the free tenants lying within the foresaid lands, to be holden by the said John, and Robert, his son, born of the granter's sister Agnes, and the heir or heirs proceeding from the said Robert, of the granter and his

[1] *Acta Parl. Scot.*, i. 532. [2] Robertson's *Index*, 58-4. [3] *Origines Parochiales Scotiæ*, i. 140. [4] Robertson's *Index*, 40-22. [5] Rhymer. [6] *Liber de Dryburgh*, 230.

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heirs whomsoever. The warrandice is in the suggestive words 'contra omnes exules tam homines quam feminas nunc ad fidem et pacem regis Angliæ existentes.'[1] According to the old inventory set forth in the Act of 1661, this charter was confirmed by King David II. in the fortieth (*i.e.* the forty-first) year of his reign.[2] It will be noticed that the whole barony is not conveyed, and in particular, that the castle is expressly excepted. The barony of Tibbers marched with Drumlanrig, and its acquisition was long desired by the Douglases, who had become possessed of that portion of the estates of the old Earls of Mar. It, however, remained with the Maitlands till 1509. On 3 November 1369, William, Earl of Douglas, Lord of Lauderdale, on the resignation of the said John Maitland (in the Act of 1661 called *Thomas*), grants to him and to his son Robert, procreate betwixt him and Agnes Dunbar, his spouse, the lands of Thirlestane and Tollous.[3] In pursuance apparently of some family arrangement, he seems to have propelled the fee of all or a great part of his estates. On 1 December 1399, Joanna Hay, Lady Yester, spouse of the deceased Sir Thomas Hay of Lonchquerwart, confirmed to Sir Robert Maitland, Knight, the lands of Lethingtoun originally granted to Sir Robert Maitland, his grandfather, following this on 10 January 1400 by a licence to John Maitland of Thirlestane to infeft his son Sir Robert therein, and a discharge to Sir Robert of all the bygone blench duties of the said lands.[4] The original family estates were treated in the same way, and at Renfrew, on 14 October 1401, King Robert III. confirmed a charter by Archibald, Earl of Douglas, Lord of Galloway, dated at the Castle of Dunbar the 28 April previous, in favour of Sir Robert Maitland, Knight, 'terrarum de Thirlestane, Tullous, Corsenhope et terrarum dominicallium de Lauder infra dominia de Lawder et Heriotmoore,' proceeding upon the resignation of John, his father. The holding seems also to have been changed from ward to blench.[5] The date of John Maitland's death is unknown. By Agnes Dunbar he had issue at

[1] Original charter at Drumlanrig, *Fifteenth Rep. Hist. MSS. Com.*, App. viii. 32. [2] *Acta Parl. Scot.*, vii. 160. [3] *Ibid.*, 139, 160. Confirmed by David II. 4 Sept. 1368 (*Acta Dom. Conc. et Sess.*, xxix. 26). [4] *Ibid.*, 136. [5] *Ibid.*, 159.

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least his successor, ROBERT, and a daughter *Mary*, married to John de Haga of Bemersyde.[1]

SIR ROBERT MAITLAND. From the terms of the various charters referred to it would appear that he was born some time prior to 1369, and that during his father's lifetime he was knighted and put in possession of the family estates. If, as is possible, he is the Robert Mawtaland who witnessed a charter by George, Earl of March, *circa* 1387-88,[2] and also the Robert Mauteland, Knight, who was witness to a charter by the Earl of March to his brother, Sir Patrick Dunbar, undated, but *circa* 1390,[3] it would seem that he must have in some way distinguished himself and earned his knighthood between these two dates, possibly in one of the Border fights, of which Otterburn is the best known. George, Earl of March, having in 1400 quarrelled with King Robert III. and taken refuge at the English court, left his castle of Dunbar in the keeping of his nephew, Sir Robert Maitland, by whom it was handed over to the Master of Douglas on behalf of the King. The date of the Earl's flight is unknown, but it must have been subsequent to 8 May 1400, when he granted at Dunbar a charter to the monks of Melrose, to which one of the witnesses is Robert Maitland 'filius sororis nostre.'[4] Sir Robert was rewarded by a Crown charter, dated 11 October 1401, of Tybrys, which had fallen to the King by reason of forfeiture or escheat without any other royal right, to be held to the said Robert of the King and his heirs in fee and heritage for ever, in the same way and by the same services as George of Dunbarre, sometime Earl of March, freely held the lands of the King in times by past.[5]

On 23 March 1417 Sir Robert Maitland was one of the witnesses to a transumpt made at Haddington of a charter by Margaret Stewart, Countess of Mar and Angus.[6] About this time he had also become associated with the future Chancellor, William Crichton of that Ilk, who, on 1 March 1422, granted a bond to keep Sir Robert Maitland, Knight,

[1] Mylne MS. Adv. Bib., 34, 6, 10, p. 574. [2] Register House Charters, No. 192. [3] Laing Collection, No. 81. [4] *Liber de Melros*, ii. 491. [5] Original Charter at Drumlanrig; *Fifteenth Rep. Hist. MSS. Com.*, App. viii. 33. [6] *Douglas Book*, iii. 51.

Lord of Lethington, harmless of his obligation to Alexander Ramesay, Lord of Dalhousie.[1] His son and heir, Robert, having, in 1424, been handed over as one of the hostages for payment of the ransom of King James I., amounting to £40,000, impudently stated by the English to be in repayment of the expense occasioned to them during his captivity,[2] safe-conducts for travel in England were obtained in the end of that year by Sir Robert Maitland and John Maitland. Sir Robert was survived by his wife, Marion Abernethy, who, after his decease, married, as his second wife, Sir John Scrymgeour, Constable of Dundee, by whom she had a son, John, born prior to 20 May 1431, when he is mentioned in a charter by the Constable in favour of John Scrymgeour of Henriston.[3] She was alive in 1466.[4] He had issue at least:—

1. *Robert*, the eldest son, who, with other Scots of importance, was handed over to the English ambassadors on 28 March 1424 as one of the hostages for payment of the ransom of King James I., being appraised at 400 merks.[5] He was interned first in Knaresburgh Castle, and then in the Tower of London.[6] His subsequent fate is unknown, but he is understood to have predeceased his father.
2. WILLIAM, who succeeded.
3. *James*. On 3 January 1450 William Matelande de Thirlestane granted to his brother-german James and Egidia Scrymgeour, his spouse, the lands of Achinbrek, le Bagraw, and others in the barony of Tibbris: failing heirs of the marriage the subjects of the grant to return to the granter and his heirs.[7] From this marriage are sprung various families of Maitlands, notably those known as of Auchingassil and of Eccles. In 1459, as James Maitland of Bagraw, he appears as witness to a charter by W. Carne, Vicar of Glamis, in favour of St. Stephen's altar in the Parish Church of Dundee,[8] and he is apparently the James Maitland

[1] *Acta Parl. Scot.*, vii. 160. [2] Dunbar, *Scottish Kings*, 187. [3] Charter *penes* Lord Lauderdale. [4] *Acta Parl. Scot.*, vii. 160. [5] *Cal. Doc. Scot.*, iv. 952. [6] *Ibid.*, 973, 974. [7] Original Charter at Drumlanrig; *Fifteenth Rep. Hist. MSS. Com.*, App. viii. 34; for confirmation see *Reg. Mag. Sig.*, 10 June 1451. [8] *Penes* Earl of Lauderdale.

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of Queensbery who appears as witness to various Scrymgeour writs up to the year 1484.[1]

On 10 August 1489 Robert Maitland, the King's well-beloved esquire, received a charter of 'locum castri et montem nuncupatum le mote de Tibris,' with bounds and pertinents extending to two acres, to be held of the King for a feu-duty of 40d. yearly.[2] The castle, which, it will be remembered, had been excepted from the grant of George, Earl of March, thus came into the possession of the cadet branch of Auchingassil. On 19 May 1500 James Maitland received from William Maitland of Lidyngtoun a precept of clare constat as heir of Robert Maitland his father in certain lands in the barony of Tibris.[3] And on 11 May 1506 the said James Maitland was retoured heir to his father, Robert, in the said lands and also in the two acres held of the King as above mentioned.[4] As will be seen later on, Tybris was finally acquired by the Drumlanrig family, and on that event James Maitland of Auchingassill entered into an agreement with Sir William Douglas, dated 21 July 1510, under which he was to resign the two acres containing 'the mote and castlested of the Tybbiris' in favour of Sir William, of whom he was henceforth to hold Auchingassil and his other lands in the barony.[5] The resignation does not seem to have been carried through at the time, for it is not until 1544 that, on the resignation of John Maitland of Auchingassil, James Douglas, Sir William's son, at last obtained from Queen Mary a precept for a charter of the coveted two acres.[6]

On 20 February 1563-64 John Maitland of Auchingassil seems to have been the head of this branch, and his son and heir-apparent, John Maitland, is called in the destination of Blyth and Thirlestane immediately after the three sons of Sir Richard Maitland of Lethington.[7]

[1] *Penes* Earl of Lauderdale. [2] *Reg. Mag. Sig.* [3] Original at Drumlanrig; *Fifteenth Rep. Hist. MSS. Com.*, App. viii. 36. [4] *Ibid.*, 34. [5] *Ibid.*, 14. [6] Original at Drumlanrig; *Fifteenth Rep. Hist. MSS. Com.*, 18. [7] *Reg. Mag. Sig.* An elaborate pedigree of this branch is to be found in a genealogical account of the Maitlandfamily by George Harrison, Windsor

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Sir Robert was succeeded by his second but eldest surviving son,

WILLIAM MAITLAND. On 23 March 1432 Archibald, Duke of Touraine, Earl of Douglas and Longavill, etc., granted to William Maitland of Thirlestane and Margaret Wardlaw, his spouse, a charter of the lands of Blyth, Haderweik, Tullous, and Burnscleuch.[1] In 1434 he had sasine of the barony of Farnyngton, of which he was heir.[2] He would seem to have got into financial difficulties, for in 1450 he mortgaged to Alexander Forrester of Corstorphine 'the toun and territorie of Thirlestane, with the miln thereof.'[3] The amount of the debt was not paid off until the time of Sir Richard, his great-grandson, and the Forresters seem to have been in possession of the security subjects until then.[4] On 24 August 1462 James Cokburne, 'son and appearand air' of Patrick Cockburne of Newbiging, granted a bond of manrent and service to William Maitland of Ledingtoun.[5] The need for money seems still to have been pressing, and a further loan was obtained from Roger of Kirkpatrick, who, on 18 August 1464, granted to William Maitland of Ledingtoun a reversion of an annualrent of 25 merks out of the lands of Ledingtoun disponed to him by the said William, with consent of John, 'his son, and appearand heir,' redeemable upon payment of 500 merks.[6] He was alive on 8 August 1466, when he received a resignation of certain lands in the barony of Tybris by his mother, then wife of Sir John Scrymgeour.[7] The date of his death is unknown, but it must have been prior to 1471. He married Margaret Wardlaw,[8] who survived him. He had issue at least:—

1. JOHN MAITLAND, of whom nothing certain is known beyond the fact that, on 18 August 1464, he was his father's heir-apparent.[9] He does not appear to have succeeded to any part of the family estates, and it may accordingly be presumed that he predeceased

Herald (privately printed), 1869, but unfortunately no authority is cited for many of the statements. See also *Miscellanea Genealogica et Heraldica*, ii. 205-213. [1] *Acta Parl. Scot.*, vii. 139. [2] *Exch. Rolls*, iv. 598. [3] *Acta Parl. Scot.*, vii. 159. [4] *Ibid.*, and Protocol Book of Mr. James Colvile in Register House, 138. [5] *Acta Parl. Scot.*, vii. 160. [6] *Ibid.* [7] *Ibid.* [8] *Acta Dom. Conc.*, 72; *Acta Dom. Auditorum*, 124. [9] *Acta Parl. Scot.*, vii. 160.

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his father. Nothing is known as to his marriage, but he must have been the father of William Maitland who carried on the succession, and it seems probable that his wife was a lady of the family of Dundas.

2. *Margaret*, married to John Edmondstone of that Ilk. It is said that they were within the forbidden degrees, and that a dispensation for their marriage was granted in 1462.[1] As noted below, she attempted to bastardise her nephew William. On 31 July 1496 a charter of the lands of Ednem and others was obtained by James Edmondstone, with remainder to his brothers David and William on the resignation of John Edmondstone, *de eodem*, and Margaret Mateland, his spouse, reserving the liferent of the said John and a reasonable terce to the said Margaret.[2]

William Maitland of Lethington is styled, on 31 May 1509, 'grandson of umquhile William Maitland of Lethington,'[3] so that there is no room for doubt as to his descent. He seems to have succeeded while very young, for on 8 August 1471, and again on 6 July 1476, Duncan of Dundas is mentioned as his curator in litigations with regard to Egrope in the one case, and in the other the chapel lands of Farnington.[4] In 1477 he had sasine of Thirlestane Heuch, Thirlestane Maynes, and Egrop.[5] Some question seems to have been raised as to his legitimacy by his aunt Margaret, who, on 7 December 1482, obtained from the Lords Auditors a decree quashing the proceedings taken upon certain brieves of inquest 'purchast by ane William callit Mateland,' in respect that an action of bastardy at her instance against him was depending in the Spiritual Court.[6] This amiable lady seems to have taken vigorous steps against the estates, and in 1483 obtained sasine of both Farnyngtoun and Tibberris,[7] and proceeded along with her husband to deal with them accordingly.[8] William Maitland, however, emerged successfully from his troubles, for in 1505 he had

[1] *Genealogical Account of the Family of Edmonstone of Duntreath*, 98. [2] *Reg. Mag. Sig.* [3] Register House Charters, No. 827. [4] *Acta Dom. Auditorum.* [5] *Exch. Rolls*, ix. 678. [6] *Acta Dom. Auditorum.* [7] *Exch. Rolls*, ix. 682. [8] *Acta Dom. Auditorum*, 16 October 1483.

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sasine of both Tibbris and Farnyntoun.[1] About that time he had apparently engaged in some border fighting, for in the *Exchequer Rolls* there is an entry of 'custom of salmon remitted to William Maitland of Lethingtoun, captive in England.'[2] In 1508 he had sasine of Thirlestane, Blyth, and other lands,[3] which were afterwards apprized from him for non-entry by Alexander Lauder, Provost of Edinburgh.[4] In 1509 he sold the barony of Tibbers to Sir William Douglas of Drumlanrig for seven hundred merks, to account of which sum he acknowledges receipt of three hundred merks by acquittance, dated 25 April 1509.[5] In the course of the negotiations William Maitland took bonds from Thomas Cockburn of Newbigging and Sir William Douglas to keep him free of certain feudal demands and of all danger of recognition.[6]

He married Martha, or Margaret, daughter of George, fourth Lord Seton (*see title* Winton), and was killed at Flodden 9 September 1513, leaving issue:—

1. Richard, his successor.
2. *Robert*. He was alive on 26 August 1560, when he was called as a defender to an action raised by his nephew John.[7]
3. *Janet*, married to Hugh, fifth Lord Somerville. (*See that title.*)

Richard Maitland, said to have been born in 1496, was served heir to his father in the lands of Lethington on 5 October 1513, and was infeft therein, apparently after some difficulty, 10 April 1514.[8] Educated partly at St. Andrews and partly in France, he was from an early age, employed in public affairs. About 1550 he seems to have been knighted. He is mentioned as an Extraordinary Lord of Session in the sederunt of 14 March 1551.[9] He was repeatedly sent as commissioner to settle Border affairs, and in 1559 concluded the treaty of Upsettlington, afterwards confirmed by Francis and Mary.[10] About 1560 he had the misfortune to lose his sight. But this calamity did

[1] *Exch. Rolls*, xii. 717, 718. [2] *Ibid.*, 478. [3] *Ibid.*, xiii. 658. [4] Register House Charters, No. 827 *supra*. [5] Original at Drumlanrig; *Fifteenth Rep. Hist. MSS. Com.*, App. viii. 13. [6] *Acta Parl. Scot.*, vii. 139. [7] Haddington Sheriff-Court Books. [8] *Acta Parl. Scot.*, viii. 136. [9] Brunton and Haig, 97, and authorities there cited. [10] *Ibid.*

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not incapacitate him from business. On 12 November 1561 he was appointed an Ordinary Lord of Session, and on 20 December 1562 he was made Keeper of the Privy Seal. In 1563 he was appointed one of the Commissioners to deal with claims under the Act of Oblivion,[1] and in the same year he was also employed to frame regulations for the guidance of the Commissaries intrusted with the decision of matrimonial causes. In 1567 he resigned the Privy Seal, which was conferred on his second son John, then Prior of Coldingham. Unlike his sons, he does not seem to have been personally concerned in the troubles of the times, though his lands of Blyth were ravaged by the English, and he suffered in other ways from the animosity of the Regent Morton and his faction. In spite of his age and infirmities he retained his seat on the Bench until 1 July 1584, receiving, as the Acts of Sederunt show, various indulgences from his colleagues. On his retirement he obtained the unusual privilege of nominating his successor, while he himself continued to enjoy for his life the whole emoluments of his office. The King's letter to the Court on this occasion quaintly tells how the worthy old man had 'dewlie and faithfully servit our grandschir, gud sir, gud dam, muder and ourself being often tymes employit in public charges, quhereof he dewtifullie and honestlie acquit himself.'[2]

In the course of his long life he greatly restored the family fortunes. The inventory embodied in the Act of 1661 contains many writs that show his gradual redemption of the estates, including Thirlestane, which does not seem to have been finally cleared of debt till 1556. On his own resignation he, on 20 February 1563-64, obtained a new charter of Blyth, Thirlestane, Wantounwallis, and Lamleche, in the lordship of Lauderdale, with remainder to his three sons, and the heirs-male of their bodies in their order, and thereafter to John Maitland, son and heir-apparent of John Maitland of Auchingashill, and his heirs-male whomsoever, bearing the name and arms of Maitland,[3] a fact which suggests that at that date the Auchingassil family were regarded as the nearest cadets.

Besides collecting the decisions of the Court of Session

[1] *Acta Parl. Scot.*, ii. 536. [2] Brunton and Haig, 98. [3] *Reg. Mag. Sig.*

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from 15 December 1550 to 30 July 1565, he left his mark on the general literature of Scotland. His *History of the House of Seyton*, of which he was—as he calls himself—a 'dochteris son,' and his *Poems*, have been published by the Maitland Club, so named in his honour. And he also collected and preserved many old Scots ballads, which would otherwise have fallen into oblivion.

He took little part in the disturbances of the Reformation. To some extent this may have been due to his blindness, but so far back as 1546 Knox seems to have noted his sanity and moderation, and long afterwards described him as 'ever civile albeit not persuaded in religioun.'[1]

He died on 20 March 1586, respected by all as a 'maist unspotted and blameless Judge, ane valiant, grave, and worthy Knight.'[2]

He married, soon after 1520, Mariota, daughter of Sir Thomas Cranstoun of Corsbie, who survived him only to die on his funeral day. Their second son, the Chancellor, is said to have written the following couplet on his parents:—

> 'Unus Hymen, mens una duos, mors una diesque
> Iunxit, et una caro, sic cinis unus erit.'[3]

Though the *Consolator Ballad*[4] gives him seven sons, Sir Richard is only known to have had three sons and four daughters, viz.:—

1. *William*, popularly known as Secretary Lethington. The exact date of his birth is unknown, but, according to Dr. David Laing, it must have been between 1525 and 1530. He is said to have been educated partly at St. Andrews and partly abroad. At an early age he was employed by the Queen Regent, Mary of Lorraine.[5] In December 1558 he became her Secretary of State, but next year joined the Lords of the Congregation. In 1560 as 'harangue maker' he delivered an inaugural oration to the Convention of Estates which formally abolished the papal supremacy in Scotland.[6] On Queen Mary's return from France in the autumn of 1561 he was appointed

[1] *Works*, i. 137. [2] A full and interesting biography of Sir Richard, by Mr. Joseph Bain, is prefixed to his *Poems*, printed by the Maitland Club, 1830. [3] *Poems*, 140. [4] *Ibid.*, lxix. [5] Knox, *Works*, ii. 4, Dr. Laing's footnote. [6] Tytler, vi. 206.

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her Secretary of State and an extraordinary Lord of Session. He was made an ordinary Lord on 12 January 1566.[1] For some years he enjoyed the Queen's entire confidence, and several times represented her at the English Court. On account of his supposed connivance in the murder of Rizzio he fell for a short time into disfavour and obtained a formal licence to travel abroad for a year.[2] It is uncertain whether he actually left Scotland, but he was soon restored again to favour, and in spite of various defections, apparent and strategic rather than real, he remained faithful to the unfortunate Queen until the end. In April 1571, broken in health, he arrived at Leith and was carried up to Edinburgh Castle, which Kirkcaldy of Grange was holding out for the Queen. On the fall of the Castle, in June 1573, Kirkcaldy was hanged by order of Morton, while Lethington only escaped a similar fate by dying in prison at Leith, to the great disappointment of his enemies, who treated his dead body with the grossest indignity, and circulated a report that he had taken poison. In both charm and ability he excelled all other Scotsmen of the time. Even Knox had a certain liking for him, although Bannatyne and Buchanan have done their best to defame him, and the vulgar abuse of the one and the more artistic slanders of the other have been accepted by succeeding writers as contemporary evidence of his character. To his extraordinary reputation even Bannatyne bears involuntary witness when he calls him 'Mitchel Wylie,' obviously an illiterate attempt after Machiavelli. His private life was admittedly beyond reproach, and even in England, though he more than attracted the attention of the Virgin Queen, no breath of scandal is associated with his name. For a full account of his career reference may be made to Sir John Skelton's *Maitland of Lethington*,[3] and the numerous authorities there cited. Dying as he did, in the lifetime of his father, he never succeeded

[1] Brunton and Haig, 106. [2] *Reg. Sec. Sig.*, xxxiv. 72. [3] Edin., Wm. Blackwood and Sons.

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to the family estates, though these were ravaged without mercy by his opponents. He, however, acquired considerable possessions of his own, including the abbacy of Haddington and other lands in East Lothian, all forfeited in consequence of his attainder on 16 May 1571,[1] but afterwards restored to his son. He married, first, prior to 10 November 1553, Jonet, daughter of William Menteith of Kerse; and secondly, on 6 January 1567, one of the Queen's Maries—Mary, daughter of Malcolm, third Lord Fleming, to whom he had long been attached. On 19 February 1583-84, by letters under the Great Seal, his forfeiture was declared to be null and in no ways prejudicial to his wife and children.[2] On 22 May of the same year two Acts of Parliament were passed, one ratifying the said 'pacification'; the other revoking all grants of lands which had belonged to the Secretary, and been seized by various persons on his forfeiture and death. In order to make things perfectly secure, a further Act was passed on 10 December 1585, avowedly at the desire of John Maitland of Thirlestane, his younger brother, and himself now Secretary, reducing the forfeiture altogether. By his first marriage he had issue at least

(1) *Marion*, who as 'eldest daughter' of William Maitland younger of Lethington was, on 21 March 1564-65, contracted to James Sinclair, eldest son and apparent heir of Henry, Master of Sinclair.[3] This marriage apparently did not take place, and she ultimately married, with issue, Robert Fawsyde, younger of that Ilk.[4]

By his second marriage he had issue:—

(2) *James*, the eldest and, so far as known, the only son, was 'five years and some odd months old' when his father died,[5] and must, therefore, have been born early in 1568. On 8 January 1584 his uncle, Sir John Maitland, received a gift of

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[1] *Acts and Decreets*, iii. 321, where they are set forth in detail. [2] *Reg. Mag. Sig.* [3] *Acts and Decreets*, xxx. 359. [4] Contract dated 7 January 1582-83, *Reg. of Deeds*. [5] Scot. Hist. Soc. *Miscellany*, ii. 154. This volume contains James Maitland's defence of his father, entitled 'The Apology for William Maitland of Lethington,' along with an introduction, in which the industry of Mr. Andrew Lang has collected a good deal of information about the author. His actual words that he, the 'eldest

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his ward and marriage.[1] He was served heir to his father in two-thirds of the barony of Boltoun.[2] The gift of his marriage seems to have been a source of trouble. The lady fixed upon was Annabel Bellenden, sister to Sir Lewis Bellenden of Auchinoul, and rather than complete the marriage James Maitland bought up the letter of gift from his cousin, Richard Cockburn, into whose hands it had come. The transaction is embodied in a formal contract dated 28 October 1587,[3] and the price of his freedom seems to have been 8000 merks.[4] He married Agnes Maxwell, daughter of William, fifth Lord Herries, to whom he provided a liferent of his lands of Stevenston,[5] and by whom he had at least a son *Richard*, born prior to 16 June 1593, when he was infeft on charters from his father in Garvet and other lands,[6] and two daughters. He seems to have been a good deal abroad in his earlier years. Like his wife, he was a Roman Catholic, and apparently got mixed up in the politics of the time, a fact which probably compelled him finally to leave Scotland about 1613. Prior to that date he had disposed of a considerable portion of his estates, and in that year he sold to his cousin John, second Lord Thirlestane, the barony of Bolton and other lands for the price of £48,000 Scots.[7] In spite of poverty and many cares he devoted much time to the vindication of his father's memory, and produced the *Apology for William Maitland of Lethington*,[8] and also *A Narrative of the Principal Acts of the Regency and other Papers relating to Mary Queen of Scots*.[9] He seems to have lived for a considerable time at Antwerp and thereafter at Brussels, whence he addressed various petitions for assistance to King Charles I., which, however, appear to have received little attention. The last of these is dated 11-21 April 1625,[10] and nothing further seems to be known of his fate. It is generally stated that he died without issue, but this does not seem to be the case. In the beginning of the *Apology* he refers to the miseries which he 'presentlie feels more and more not onlie in myn auin person but in the persons of my sone and tua dochters now come to the age and estait of man and wooman, leeving lang strangers in ane strange cuntrie.'[11] And Sir John Lauder, writing in 1682, speaks of the grandchildren of William Maitland 'who lived in Rowan in France, and to whom the Duke of Lauderdale paid a small yearly pension.'[12] It has been suggested that descendants of James Maitland still exist, but the evidence is not conclusive.[13]

(3) *Margaret*, was married to Robert Ker, younger of Cessford,

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son and appeirand heyre,' was, on his father's death, 'left in great distres and miserie, as al the rest of his children,' certainly suggest both that there were more than two children and that he was not the only son.

[1] *Acta Parl. Scot.*, vii. 136. [2] *Ibid.*, 139. [3] *Reg. of Deeds*, 28, 335. [4] See also charter of Darnik, confirmed 8 April 1588, *Reg. Mag. Sig.* [5] *Ibid.* [6] Protocol book of Mr. J. Justice in Register House. See also *Fife Inhibitions*, 10 March 1601. [7] *Acta Parl. Scot.*, vii. 139. [8] Scot. Hist. Soc. *Miscellany*, ii. [9] Edited by W. S. F., privately printed, 1842. [10] Scot. Hist. Soc. *Miscellany*, ii. 144. [11] *Ibid.*, 154. [12] *Historical Observes*, 75. [13] See *The Scottish Antiquary*, viii. 43, 91; ix. 95.

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(contract, to which her uncle Sir John was a party, dated 27 and 31 October 1587), and received a charter of Cessford in liferent, confirmed 8 April 1588.[1] Her husband was in 1616 created Earl of Roxburghe. (*See that title.*)

2. John, of whom hereafter.
3. *Thomas.* He seems to have been born about 1545. In 1559 he entered the University of St. Andrews, and in 1564 he went to Paris, where he greatly distinguished himself as a scholar. On 7 February 1566-67 an annuity of 500 merks Scots was provided to him out of the revenues of Coldingham Priory, then conferred on his brother John.[2] He was closely associated with his brothers, and in particular with William, in all the troubles of the time. Buchanan introduced him as a speaker into his famous dialogue *De jure regni*, written in the interests of Moray, and with some malice put into his mouth sentiments which he had formally to disown in a letter to the Queen.[3] Although the dates are uncertain this trick perhaps inspired him with the idea of a brilliant pasquinade professing to give the views of Knox and some of his associates on a proposal that Moray should seize the Crown. The victims of this performance were greatly enraged. Knox is even said to have abused the author from the pulpit, and to have predicted with some ferocity that he would die where there would be none to lament him. But though retailed by M'Crie,[4] the story of the prediction seems doubtful. In the beginning of May 1570 he was seized by the Regent's faction and kept prisoner in Stirling Castle till the end of June. On his release he went abroad with Lord Seton to obtain, if possible, foreign aid for the unfortunate Queen. It is uncertain whether he ever returned to Scotland. On 16 May 1571 the three brothers were formally forfeited by the 'Creeping Parliament.' And early in the next year he fell sick and died in Italy, while on his way to Rome.[5]

[1] *Reg. Mag. Sig.* [2] *Ibid.* [3] Innes, *Critical Essay*, i. 359. [4] *Life of Knox*, ii. 175. [5] The facts above given are largely taken from an article by W. S. M'Kechnie in the *Scottish Historical Review*, April 1907, where many authorities are cited.

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4. *Helen*, married to John Cockburn, younger of Clerkington (marriage-contract dated 30 September 1560 [1]), by whom she had, with other issue, Sir Richard Cockburn, Lord Privy Seal.
5. *Isobella*, married to James Heriot, eldest son and heir-apparent of James Heriot of Trabroun, with issue. Their marriage-contract, dated 1 October 1560, is referred to in a charter confirmed 20 January 1586-87.[2] She died 24 December 1621.[3]
6. *Mary*, who acted as her father's secretary, and is said to have herself written several poems. She was married to Alexander Lauder, son and heir to Sir William Lauder of Hatton (marriage-contract dated 25 June 1586).[4] She died June 1596.
7. *Elizabeth*, married to William Douglas of Whittinghame prior to 8 January 1566-67, when, on his resignation, they received a charter of Whittinghame in conjunct fee and liferent.[5]

I. John Maitland, the second son, was born about 1545. He is said to have studied both in Scotland and abroad.[6] On 26 August 1560 he raised an action of choosing curators, to which he called as defenders, along with others, his brother William, and his father's brother, Robert Maitland.[7] On 22 December 1563 his father, Sir Richard, and he 'are conjunctly and severally made Factouris, Yconomuss, and Chalmerlans of her hieness Abbacie of Haddingtoun.'[8] Soon thereafter he secured, *in commendam*, the Abbey of Kelso, which he exchanged for the Priory of Coldingham with Frances Stewart, afterwards Earl of Bothwell, a transaction formally ratified, under burden of a pension of 500 merks to Thomas Maitland, the grantee's younger brother, 7 February 1566-67.[9] On 20 April 1567 Sir Richard resigned in his favour the office of Keeper of the Privy Seal.[10] He sat in Parliament as Prior of Coldingham. On 2 June 1568 he was appointed an Ordinary Lord of Session on the spiritual side.[11] In 1571 he was forfeited, along with

[1] *Reg. of Deeds*, Scott, 3, 411. [2] *Reg. Mag. Sig.* [3] See her testament recorded *Edin. Com. Reg.*, 31 July 1622. [4] *Reg. Mag. Sig.*, 9 August 1586. [5] *Ibid.* [6] Crawford's *Officers of State*, 142; see also *Staggering State*, 11. [7] Haddington Sheriff Court Books. [8] *Reg. Sec. Sig.* [9] *Reg. Mag. Sig.* [10] *Reg. Sec. Sig.* [11] Brunton and Haig, 141.

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his brothers, by the 'Creeping Parliament.' On the fall of Edinburgh Castle in May 1573 he fell into the hands of Morton, by whom he was sent to be incarcerated in Tantallon. After a while the rigour of his imprisonment was relaxed, and on the fall of Morton he was set at entire liberty. On 20 April 1581 he was reappointed to the Bench, and soon thereafter he was knighted. On 17 February 1580-81 he obtained Letters of Rehabilitation, which, however, did not extend to the Priory of Coldingham, to the Privy Seal, or to rights in his father's or brother's estates. On 18 May 1584 he was made Secretary of State, and within a week an Act was passed formally rescinding his forfeiture, and restoring him to all his honours and estates.[1] Prior to this, certain family arrangements had been carried through between him and Sir Richard in view of the forfeiture of William, still unrevoked. On 15 March 1580 Sir Richard, under reservation of his own and his wife's liferent, granted a charter of the barony of Blyth, including Thirlestane, in favour of his son John Maitland and the heirs-male of his body, whom failing, John Maitland, son and heir-apparent of John Maitland of Auchincassil, confirmed 26 March 1581, and 19 March 1583-84.[2] A similar charter of Lethington was also granted by Sir Richard, and, with that of Blyth, was ratified by Parliament 22 May 1584.[3] How far this may have been fair to the issue of the eldest son it is impossible to say, but it does not appear to warrant the statement that 'the conquest he made of the barony of Liddington from his brother's son James Maitland was not thought lawful nor conscientious.'[4] On 31 May 1586 he was appointed for life Keeper of the Great Seal, with the title of Vice-Chancellor,[5] and in a short time Chancellor, on the fall of the Earl of Arran.[6] Having given up his claim to Coldingham, he had another grant of the Abbacy of Kelso 23 February 1586-87.[7]

In 1589 he accompanied the King on his matrimonial expedition to Denmark; and next year, on the occasion of the Queen's coronation, 17 May 1590, he was raised to the Peerage as LORD THIRLESTANE. There was

[1] *Acta Parl. Scot.*, iii. 313. [2] *Reg. Mag. Sig.* [3] *Acta Parl. Scot.*, iii. 318. [4] *Staggering State*, 12; see also *Historical Observes*, 75. [5] *Reg. Mag. Sig.* [6] Crawford's *Officers of State*, 146. [7] *Reg. Sec. Sig.*

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no patent, or other writ, conferring the honour. In the words of a contemporary writer, the King 'maid Sir Johne Maitland of Thirlstone lord and frie baronne of Thirlstone and ane of the Lords of the supreme Parlement of Scotland, the said Johne having ane reid robe upon him, and convoyit be tua Knychtis on ilk syde.'[1] Next year he resigned the office of Secretary, in which, on 22 April 1591, he was succeeded by his nephew, Sir Richard Cockburn of Clerkington.[2] With his wife Janet, only child of James, fourth Lord Fleming, whom he married early in 1583,[3] he received the lands and barony of Thankertoun and Biggar.[4] And he also added to the family estates *inter alia* the lordships of Musselburgh and Dunbar, which, along with his other possessions, were all united into the free lordship, barony, and regality of Thirlestane, by charter dated 7 March 1593-94, in favour of himself and his wife in liferent, and in fee to their son John, Master of Thirlestane, and the heirs-male of his body, 'quibus deficientibus, heredibus masculis inter dictos dominum Thirlestane et Jean legitime procreatis, quibus deficientibus, heredibus masculis dicti domini Thirlestane de corpore legitime procreandis et assignatis, quibus deficientibus, Mr. Roberto Maitland de Auchincreif et heredibus masculis ejus de corpore legitime procreatis, quibus deficientibus, Joanni Maitland juniori de Auchingassil et heredibus masculis ejus de corpore legitime procreandis, quibus deficientibus, dicto Joanni domino Thirlestane et heredibus ejus masculis arma et cognomen de Maitland gerentibus et assignatis quibuscunque reversuras.'[5] It is noteworthy that although the forfeiture of Secretary Lethington had been annulled, both the Auchincreif and Auchingassil branches are preferred to his issue.

The Chancellor shared in the literary gifts of his family, and some of his poems are printed along with those of his father by the Maitland Club.[6] He exercised on the whole a sane and moderating influence on affairs, and to him, perhaps more than to any other man, is due the establishment of Presbyterianism as the national form of

[1] *Papers relative to the Marriage of King James the Sixth*, 49, Bannatyne Club, 1828. [2] Brunton and Haig, 219. [3] Contract dated 16 January 1582-83, *Reg. of Deeds*, xxii. f. 379. [4] *Reg. Mag. Sig.*, 30 October 1583. [5] *Ibid.* [6] *Poems of Sir Richard Maitland.*

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church polity in Scotland. During the last year or two of his life he had considerable trouble, and was accused of being mixed up in the murder of the 'Bonnie Earl of Moray.' An estrangement from the King is said to have preyed on his mind, and brought on a sickness of which he died on 3 October 1595. By his own express desire he was buried at Haddington, where his tomb, adorned with a characteristic epitaph by King James VI., is still to be seen. In his time the family seat was moved from the old Tower of Thirlestane to Lauder Fort, which he largely rebuilt, and has since then been known as Thirlestane Castle. His will, an interesting document, was made at Thirlestane on 31 August 1595.[1]

By his wife Jean Fleming, who married, secondly, John, fifth Earl of Cassillis[2] (*see that title*), and died 22 June 1609,[3] he had issue:—

1. JOHN, his successor.
2. *Anna*, married, 1 February 1603,[4] to Robert, Master of Winton, who succeeded his father as Earl of Winton 23 March 1603. The marriage-contract, dated 29 and 31 January 1603, is referred to in a charter confirmed 22 March 1603.[5] On the night of the marriage the bridegroom showed singularly unpleasant symptoms of insanity,[6] with the result that the young couple were separated, and according to the lady's tombstone at Haddington 'Virgo Mortua est anno 1609 pridie Novembris quintilis exacto ætatis anno 19. Eodem cum matre funere elata.'[7]

II. JOHN, second Lord Thirlestane, was served heir to his father 24 January 1605,[8] and to his mother 31 August 1609.[9] He married, prior to 5 June 1610, Isobel Seton, daughter of Alexander, Earl of Dunfermline and Chancellor of Scotland, and who along with him, on 18 June 1610, obtained a charter of the lands of Gilbertoun and others.[10]

[1] *Edin. Com. Reg.*, 24 March 1598-99. [2] See their marriage-contract, dated 4 November 1597, and recorded *Reg. of Deeds*, 16 December 1597. [3] See her testament *Edin. Com. Reg.*, 9 March 1610. [4] *Edin. Com. Decreets*, 28 January 1607. [5] *Reg. Mag. Sig.* [6] *Staggering State*, 13. [7] See Seton's *Family of Seton*, i. 218. [8] *Retour* in Lauderdale Charter-chest. [9] *Retours*. [10] *Reg. Mag. Sig.*

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In 1612 he was a commissioner for holding Parliament.[1] In May 1613 he purchased from his cousin James Maitland the barony of Bolton,[2] charter confirmed 28 July 1613,[3] and of new confirmed, along with a charter of the lands of Bagbie, also acquired from James Maitland, 27 April 1616.[4] By patent, dated 2 April 1616, the King conferred upon John, Lord Thirlestane et 'heredibus ejus masculis et successoribus dominis dicti dominii de Thirlestane' the title and dignity of VISCOUNT OF LAUDERDALE.[5] On 5 June 1618 he was appointed an Ordinary Lord of Session, an office which he held till 1626, when he was appointed an Extraordinary Lord.[6] On 14 March 1624 he was created EARL OF LAUDERDALE, VISCOUNT MAITLAND, and LORD THIRLESTANE and BOLTON, with remainder 'suisque heredibus masculis cognomen et arma de Maitland gerentibus.'[7] He was an excellent business man, and the records of Parliament contain abundant evidence of his activity in public matters. In 1639 he was appointed one of the Lords of the Articles, on 4 June 1644 he was elected President of Parliament, to which office he was re-elected on 7 January 1645.[8] He died between 11 and 20 January 1645. In addition to his public duties Lord Lauderdale displayed great capacity in the management of his own affairs. As already stated in the beginning of this article, he rebuilt the house of Lethington, and to his painstaking industry is due the existence of the inventory that throws so much light on the earlier history of his family. An epitaph upon him by Drummond of Hawthornden is preserved by Crawfurd.[9] By his wife Isobel Seton, who predeceased him 2 March 1638, he is said to have had issue seven sons and eight daughters.[10] Most of these must have died young, for the following are the only children whose names are known:—

1. John, his successor.
2. *Robert*, born 11 March 1623, married, prior to 25 April 1648, Margaret, only daughter and heiress of John Lundin of Lundin. Having taken part in the 'En-

[1] *Acta Parl. Scot.*, iv. 465. [2] Contract registered in Books of Council and Session office (Scott), 16 June 1613. [3] *Reg. Mag. Sig.* [4] *Ibid.* [5] *Ibid.* [6] Brunton and Haig, 260. [7] *Reg. Mag. Sig.* [8] *Acta Parl. Scot.* [9] See also Crawfurd, *Peerage*, *sub voce*. [10] Robert Riddell's MS. Baronetage in Adv. Bib., vol. vii.

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gagement,' he found it necessary to make public repentance in his own seat in Largo Church on 13 January 1650.[1] He was taken prisoner at the battle of Worcester, and detained for some years in England. In 1654 he was fined £1000 under Cromwell's Act of Grace and Pardon. He died of a consumption at Lundin on 15 December 1658, in the thirty-sixth year of his age, and on 23 December was buried by torch-light at Largo Church.[2] He had issue:—

(1) *John* Lundin, who dropped the name of Maitland. He was educated at St. Andrews. He died, unmarried, 25 November 1654, and was buried at Largo Church 5 January 1655.[3]

(2) *Sophia*, who succeeded to Lundin. On 30 April 1670 she was married to John Drummond,[4] who in 1680 was created Earl of Melfort (*see that title*), by whom she had issue.

(3) *Anna*, married, with issue, to James Carnegy of Finhaven, second son of David, second Earl of Northesk (marriage-contract dated 10 February and June 1674). She died 3 September 1694.[5]

3. Charles, afterwards third Earl of Lauderdale.
4. *Jean*, born 1 October 1612, died, unmarried, 8 December 1631.[6]
5. *Sophia*.[7]

III. John, second Earl of Lauderdale, born at Lethington 24 May 1616. On 30 March 1622, when six years old, he, as Master of Lauderdale, received a grant of part of the property of the old Abbey of Haddington.[8] While very young he married Anna Home, youngest daughter of the first Earl of Home (marriage-contract dated 23 August and 6 September 1632). At an early age he also began to take part in public affairs, at first on the Covenanting side, and then, as matters were being pushed to extremes, in the interests of the King. While in Holland with Charles ii. he was served heir to his father, 5 September 1649.[9] For his part in the 'Engagement' he, like his brother Robert, had to do public penance in Largo church on 22 December 1650.[10] After Worcester he was committed to the Tower, and kept prisoner there and elsewhere until March 1660, a circumstance which can hardly have tended

[1] Lamont's *Diary*, 12. [2] *Ibid.* [3] *Ibid.* [4] *Ibid.* [5] *History of the Carnegies*, ii. 425. [6] R. Riddell's ms. Baronetage, in Adv. Bib., vol. vii. [7] *Ibid.* [8] *Reg. Mag. Sig.* [9] *Edin. Retours*; see also Lamont's *Diary*, 9. [10] Lamont's *Diary*, 25.

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to increase his affection for the extreme Puritan party. On the Restoration the influence which, years before, he had acquired over Charles II., resulted in his being made Secretary of State, as well as Privy Councillor and Extraordinary Lord of Session. Notwithstanding the intrigues and opposition of various rivals, the whole management of Scots affairs passed into his hands. His personal appearance, his character, and his administration have alike furnished opportunities for the invective of many writers, who, however, do not deny either his industry or his talents. It is generally but erroneously said that he never returned to Scotland till he came as High Commissioner. But there is evidence that he was there in 1661 attending to his family affairs. On 9 April of that year he obtained the Act of Parliament already referred to, ratifying the inventory of title-deeds which his father had made;[1] and on 29 July, when some unfortunates were being tried for witchcraft, he, as Bailie of the regality of Musselburgh, insisted in sitting along with the notorious Mr. Alexander Colville and two other justice-deputes 'in respect the Pannells were inhabitants of the regality.'[2] In December 1666 his only daughter was married to Lord Yester with great splendour, the bride being given away by the King himself.[3] Being minded to make her his heir, he resigned his whole honours and estates into the King's hands, and on 16 September 1667, under reservation of his own liferent, he obtained a regrant thereof in her favour and the other heirs therein mentioned, but under this condition, that it should always be competent to him, by consignation of a rose noble, to redeem the said estates and dignities, and to revise the destination of the original investiture. On this infeftment followed, and for several years Lady Yester was fiar of the earldom and estates. The Countess of Lauderdale, who for long had been on bad terms with her husband, died in Paris 6 November 1671.[4] And on 17 February 1672 he married, as his second wife, the evil genius of himself and his family, Elizabeth Murray, in her own right Countess of Dysart (*see that title*), and widow

[1] *Acta Parl. Scot.*, vii. 134. [2] *Justiciary Records*, Scot. Hist. Soc., i. 4.
[3] Lamont's *Diary*, 195. [4] Test. recorded 5 September 1672, *Edin. Com. Reg.*

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of Sir Lionel Talmash, to whom she had borne eleven children. This lady is said to have possessed great beauty and an uncertain temper. For years past her name had been closely associated with that of Lauderdale, and at an earlier date she was believed to have attracted the admiration of the Protector himself. By patent dated 26 May 1672 he was created DUKE OF LAUDERDALE, MARQUESS OF MARCH, EARL OF LAUDERDALE, VISCOUNT MAITLAND, LORD THIRLESTANE, MUSSELBURGH, and BOLTOUN, with remainder to the heirs-male of his body,[1] and on 3 June of the same year he was made a Knight of the Garter. On 25 June 1674 he was created EARL OF GUILFORD and BARON OF PETERSHAM, in the Peerage of England, also limited to heirs-male of his body. From 1669 to 1674, and again in 1678, he was Lord High Commissioner to the Scots Parliament. In 1670 he was one of the Scots Commissioners for considering as to Union with England. And next year he was made Captain of the Bass and President of the Privy Council. In 1673 he was made Ranger of Richmond Park, and in 1676 he received the degree of LL.D. from the University of Cambridge.[2] He greatly enlarged and improved Thirlestane Castle. Soon after Lauderdale's second marriage, disputes, fomented by the Duchess in the interest, it is said, of his brother, Charles Maitland of Halton, arose between him and his daughter and her husband. In result, the rose noble was consigned, and Lady Yester was called on to divest herself of all the rights she had acquired under the regrant of 1667. She and her husband refused, but their defence to legal proceedings taken by the Duke was unsuccessful.[3] Serious attacks were from time to time made upon him in the English Parliament, but he weathered them all until 1680. In the spring of that year his health gave way, and he quarrelled with the Duke of York before its end, with the result that, before his death, he was deprived of most of his offices. He died at Tunbridge Wells 24 August 1682, when the dukedom of Lauderdale and minor dignities conferred by the patent of 1672, as well as the English Peerages, became extinct, while the other Scots

[1] *Reg. Mag. Sig.* [2] See Doyle's *Official Baronage.* [3] Morison's *Dictionary of Decisions*, 6545.

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honours passed to his brother Charles. The extravagance of the Duchess had laid heavy burdens on the family estates, which were further affected by excessive provisions in favour of her and her eldest son, so that the new Earl entered upon a greatly diminished inheritance. The Duke had issue only by his first marriage, viz.:—

- MARY, married, 11 December 1666, to John, Lord Yester, afterwards second Marquess of Tweeddale. (*See that title.*)

IV. CHARLES, third Earl of Lauderdale, born about 1620. He had as pedagogue Mr. James Allan, afterwards Professor of Humanity in St. Leonard's College.[1] On 13 December 1653 he obtained a charter of Gilmertoun, to which he had acquired right the year before.[2] And on 21 February 1654 he obtained confirmation of a charter of the Forest of Lauder, dated 23 July 1651.[3] He married, 18 November 1652, Elizabeth, younger daughter of Richard Lauder of Halton,[4] who brought to him the estates of Halton, Overgogar, Norton, and Platts, of which a charter passed the Great Seal on 4 December 1660,[5] ratified by Act of Parliament 9 October 1663, prescribing, among other conditions, that the arms of Lauder should be quartered with those of Maitland. Hence he was generally known as Charles Maitland of Halton. On the Restoration, he was appointed General of the Mint. On 15 July 1661 he was appointed a Privy Councillor, and on 1 June 1670 an Ordinary Lord of Session under the judicial title of Lord Halton.[6]

On the death, in 1668, without heirs-male, of John, Earl of Dundee (*see that title*), his estates, including Dudhope in Forfarshire, Inverkeithing in Fife, and Glassary in Argyll, along with the heritable offices of Constable of Dundee and Royal Standard-Bearer, all which were held on a male investiture, fell to the Crown as *ultimus hæres*, and were granted to Lord Halton by a series of charters commencing 11 July 1670,[7] and all duly ratified by Acts of Parliament. These grants formed the subject of unsuccessful litigation at the instance of various parties, who, on different grounds, conceived that they had an interest to

[1] Lamont's *Diary*, 22. [2] *Reg. Mag. Sig.* [3] *Ibid.* [4] Lamont's *Diary*, 49. [5] *Reg. Mag. Sig.* [6] Brunton and Haig, 397. [7] *Reg. Mag. Sig.*

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dispute their validity. And at present, after a lapse of more than two hundred years, a claim to the office of Standard-Bearer is being maintained in the Court of Session by Mr. Scrymgeour Wedderburn of Birkhill. In February 1671 he was appointed Treasurer-Depute. During his brother's administration he was, beyond his merits, influential in Scots affairs, and both by his own conduct, as well as on account of the Government, aroused the enmity of all classes. When the Duke's power was shaken this enmity took practical shape. In 1681 he was accused in Parliament of perjury of a singularly gross kind, and the matter was only terminated by an adjournment which 'stopt the decision.'[1] In November of the same year a Committee was appointed to examine the Treasury accounts, and in May 1682 a Commission, like the Committee, composed chiefly of his known enemies, proceeded to look into his management of the Mint. On their report Lord Halton, or Lord Lauderdale, as he had become a week before, and his subordinates were deprived of all their offices, 31 August 1682, and the Lord Advocate was directed to proceed against them, either criminally or civilly, as he saw fit. The case came before the Court of Session, who, on 20 March 1683, gave decree against Lord Lauderdale, his eldest son Richard, Sir John Falconer his Deputy, and their subordinates, for the sum of £72,000 sterling.[2] Whatever may have been the character of Lauderdale, or the merits of this case, it would seem as if the whole proceedings were not unconnected with the idea of making some provision for Sir George Gordon of Haddo, who had found his way into the good graces of the Duke of York, and in 1682 been made Chancellor and Earl of Aberdeen. The story is a long and tangled one, but it comes to this, that on 10 May 1683 the Privy Council were made aware that the King had restricted Lord Lauderdale's liability to £20,000, and that he was to be free even of that if he disponed to the Chancellor the Scrymgeour estates, so far as lying within ten miles of Dundee, in which event Claverhouse was to be entitled to acquire from the Chancellor, at twenty years' purchase, the house, yards, and old parks of Dudhope, with the Constabulary of Dundee.[3]

[1] Fountainhall, *Decisions*, i. 150; see also Burnet's *History of His Own Times*, ed. 1833, ii. 367. [2] Fountainhall, *Decisions*, i. 208. [3] *Ibid.*, 233.

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A slightly different arrangement, however, was carried through. Lauderdale and his son conveyed Dudhope and the Constabulary to Claverhouse, who, on 23 April 1684, obtained a Crown charter thereof,[1] while Aberdeen accepted a bond for £100,000 Scots. Very soon, however, on the grounds of '*vis metus* and *concussion*,' Lauderdale raised an action for reduction of this bond, in which the proceedings must have been of a somewhat lively character, as, in the course of the debate, 'there were more gross reflections, both among the parties and advocates, than had been licensed in any cause before.'[2] In the long-run the King interfered and ordered the proceedings to be stopped. Lord Lauderdale had also a series of litigations with the Duchess and her son, and with the Duke's daughter and her husband Lord Yester, all of whom had heavy claims against the family estates in consequence of the Duke's settlements. He died 9 June 1691, having had issue by his wife Elizabeth Lauder:—

1. Richard, fourth Earl of Lauderdale.
2. John, fifth Earl of Lauderdale.
3. *Charles*, born 15 June 1662. He is called third son of the late Charles, Earl of Lauderdale, in a charter to his brother John, dated 3 July 1691.[3] He married, in 1701, Lilias, daughter of Sir John Colquhoun of Luss, and relict of Sir John Stirling of Keir, and by her had one daughter, who died young. He died at Cawdor in June 1716.[4]
4. *Thomas*, born 5 April 1667, and in the said charter he is described as fourth son of the late Earl.[5]
5. *Alexander*, described as fifth son of the late Earl in the said charter.[6] In 1695 he is included in a list of 'Rebels in France.'[7] He died abroad in 1717, having married Janet Campbell, who on 10 March 1720 was confirmed executrix-dative *qua* relict.[8] He is said to have had 'a numerous offspring, most of whom died young and are unknown,'[9] including *Charles*, who, on 5 June 1724, was confirmed executor to his father

[1] *Reg. Mag. Sig.* [2] Fountainhall, *Decisions*, i. 336. [3] *Reg. Mag. Sig.* [4] *Chiefs of Colquhoun*, i. 284. [5] *Reg. Mag. Sig.* [6] *Ibid.* [7] *Acta Parl. Scot.*, ix. App. 115. [8] *Edin. Com. Reg.* [9] Family tree *penes* Lord Lauderdale.

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qua nearest in kin,[1] *Isabel*, who died at Lundin 11 January 1767;[2] *Mary*, married to John Melville of Cairnie, died 16 January 1767,[3] and *Barbara*, married, as her third husband, to the eccentric Helenus Halkerston of Rathillet.[4]

6. *William*, called youngest son of the late Earl in the said charter.[5] He married, first, Christian MacGill, eldest daughter of Robert, second Viscount of Oxfurd, to whom, on 25 February 1705, she was served heir of tailzie and provision. She assumed the title of Viscountess of Oxfurd, and died in 1707. He married, secondly, Margaret Walker, who survived him.[6] William Maitland died in 1724, having had issue by his first marriage:—

(1) *Robert* Maitland MacGill, who assumed the title of Viscount of Oxfurd. His vote at a Peers' election being called in question, the matter came before the Committee on Privileges.[7] He died without issue 10 October 1755, having married, 16 June 1748, Janet, daughter of Alexander Christie, writer, who survived him till 1 July 1758.

(2) *Isobel*, married, on 28 April 1670, before she was sixteen years of age, to John, eighth Lord Elphinstone.[8] (*See that title.*)

(3) *Mary*, married, 15 July 1691, to Charles, fourth Earl of Southesk.[9] (*See that title.*)

V. Richard, fourth Earl of Lauderdale, was born 20 June 1653, and was styled of Over Gogar, until his father's succession to the earldom. On 23 September 1668 he was conjoined with his father as General of the Mint.[10] On 9 October 1678 he was sworn of the Privy Council.[11] He was, on 3 April 1680, appointed Lord Justice-Clerk, an office which he held till 1684,[12] when he was suspected of complicity in the schemes of his father-in-law Argyll. On the Revolution of 1688 he joined the King in France, and is said to have accompanied him to Ireland, and been present at the Battle of the Boyne. He was formally outlawed by the Court of Justiciary 23 July 1694. Though himself a Catholic, he was averse to the extreme policy of

1 *Edinburgh Com. Reg.* 2 Family tree. 3 *Ibid.* 4 See a curious book entitled *The Family of Halkerston of that Ilk*, also *Scottish Jests and Anecdotes*, 111. 5 *Reg. Mag. Sig.* 6 Her will is recorded *Edinburgh Com. Reg.*, 18 February 1778. 7 Robertson's *Peerage Proceedings*, p. 147. 8 Lamont's *Diary*, 219. 9 Original marriage-contract at Kinnaird. 10 *Reg. Mag. Sig.* 11 Fountainhall, i. 17. 12 *Historical Observes*, 119.

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the Court of St. Germains, with the result that he fell into disfavour, and retired to Paris, where he died in 1695. He was a man of considerable culture, and produced a translation of Virgil in English verse. He married, 1 July 1678, Anne Campbell, daughter of Archibald, ninth Earl of Argyll, who was married, secondly, to Charles, seventh Earl of Moray, and died 18 September 1734, aged seventy-six. Their only child, so far as known, a son, baptized 3 May 1679, died in infancy, and Lord Lauderdale was succeeded by his brother.

VI. JOHN MAITLAND, fifth Earl of Lauderdale. He was admitted advocate 13 July 1679, and created a baronet, with remainder to the heirs-male of his body 18 November 1680.[1] On 12 March 1685 he was elected to Parliament as a commissioner for Midlothian.[2] On 6 March 1685 Sir John Maitland and Margaret Cunningham his wife had a charter of the lands of Ravelrig.[3] He was a good man of business, and many trust-deeds and other writs on record show that he found ample scope for his energies in attempting to extricate the fortunes of the family from the confusion into which they had fallen. Unlike his elder brother, he, *more Scotico*, accepted the Revolution of 1688, and on 28 October 1689 he was appointed a Lord of Session by the title of Lord Ravelrig. About the same time he was also sworn of the Privy Council and made colonel of the Edinburgh Militia. On 8 July 1691 he had a charter of the barony of Halton,[4] and assumed the name of Lauder. On his elder brother's death in 1695 he became fifth Earl of Lauderdale and sixth Lord Thirlestane. On 23 July 1696 he was served heir-male of his father the third Earl. In 1699 he was appointed General of the Mint. He supported the Union with England, and died at Halton 13 August 1710. When in his prime it is said he was thus described by a contemporary: 'He is a gentleman that means well to his country. . . . He is a well-bred man, handsome in his person, fair complexioned, and towards fifty years old.'[5] He married, *circâ* 1680, Margaret Cunningham, only child of Alexander, ninth Earl of Glencairn (*see that title*), and

[1] *Reg. Mag. Sig.* [2] Fountainhall, *Decisions*, i. 352. [3] *Reg. Mag. Sig.* [4] *Ibid.* [5] *Memoirs of John Macky, Esq.*, 133; Roxburghe Club.

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his wife Nicholas Stewart of Kirkhill, to whom she was served heir 14 March 1714.[1] By her, who survived him, and died at Hawthornden 12 May 1742, aged about eighty, he had, with other issue who died young:[2]—

1. *James*, Lord Maitland, who predeceased his father in 1709. He married (contract 31 August 1702) Jean Sutherland, daughter of John, fifteenth Earl of Sutherland. (*See that title.*) By her, who died 11 February 1747, he had an only daughter,

   Jean, born 7 December 1703, married (contract dated 3 and 8 September 1726) to Sir James Fergusson, second Baronet of Kilkerran, who became a Lord of Session in 1735, and died 4 April 1766,[3] leaving issue.

2. CHARLES, sixth Earl of Lauderdale.
3. *John*, born 19 February 1690. A colonel in the Guards. Died, without issue, 15 October 1756.[4]
4. *Elizabeth*, married, 25 March 1698, to James, second Earl of Hyndford (*see that title*), and died, aged seventy-one, at Bath, 27 November 1753.

VII. CHARLES, sixth Earl of Lauderdale, born in 1688, served heir-male of tailzie and provision to his father 8 January 1711.[5] He fought at Sheriffmuir in 1715.[6] He held the offices of General of the Mint, Præses of the Board of Police, and Lord-Lieutenant and Sheriff-Principal of the county of Edinburgh. On 25 June 1741 he was elected a Representative Peer for Scotland. He died at Halton 15 July 1744, in his fifty-sixth year. He married, proclamation 15 July 1710,[7] Elizabeth Ogilvy, daughter of James, fourth Earl of Findlater and first Earl of Seafield (*see that title*), and by her had issue:—

1. *John*, born prior to 1717,[8] died prior to 25 July 1720.[9]
2. JAMES, seventh Earl of Lauderdale.
3. *Charles*, described as 'second son' in a bond of provision by his father dated 25 July 1720.[10] He married, first, Isobel, daughter and heiress of Sir Alexander Barclay of Towie, on his marriage with whom he assumed the name of Barclay, at first in lieu of, but

[1] *Retours.* [2] Greyfriars Register of Burials. [3] Holyrood Register of Burials. [4] Family tree *penes* Lord Lauderdale. [5] *Retours.* [6] Canongate Register. [7] Cf. vol. iv. 38. [8] Crawfurd's *Peerage.* [9] Lauderdale Peerage Case, Major Maitland's Case, 20. [10] *Ibid.*

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afterwards in addition to and before that of Maitland; she died 23 October 1761; secondly, in April 1765, a daughter of Patrick Haldane of Gleneagles; and thirdly, 11 February 1768, Janet, daughter of Sir Thomas Moncreiffe of Moncreiffe, who survived him, and died 6 November 1799. He is sometimes designed of Tillicoultry. He died 28 November 1795, having had issue by the first marriage alone as follows:—

(1) *Charles*, sometime of the 2nd Dragoon Guards, and thereafter of the 22nd Dragoons. He married, 15 September 1786, Elizabeth Mary Hall, and died 1816, having had issue:—

i. *Charles*, born 4 November 1786, rector of Little Langford, married, 6 September 1810, Anne, daughter of Thomas Knott of Stockland, and died December 1844, having had issue:—

(i) *Charles*, born 12 May 1821, died 1822.

(ii) CHARLES, twelfth Earl of Lauderdale.

(iii) *Maria Anne*, married, 1840, to the Rev. James Hardwicke Dyer, vicar of Great Waltham, Essex, with issue, and died 24 June 1845.

(2) *Alexander* for some time in the Army, married Margaret Cooper, and died about 1794, having had issue:—

i. *Charles*, born 27 July 1791, entered the Royal Navy 1803, died 6 July 1827. He was unmarried, but left a natural son, mentioned in his will.[1]

ii. *Isabella*, married to W. P. Coleman, Surgeon, R.N., with issue.

(3) *Jane*, married, 26 November 1766, to Archibald Ogilvy of Inchmartine.

(4) *Elizabeth*, died unmarried 5 August 1700.

(5) *Mary Turner*, married, 9 November 1783, to James Christie of Durie.

(6) *Margaret*, married, first, in 1778, to Charles Ogilvy; secondly, 7 April 1781, to Major Archibald Erskine of Venlaw, who died 6 August 1804; and, thirdly, to Charles Dundas, created Lord Amesbury in 1883, and died that same year. She died in 1841.

4. *George*, Archdeacon of Larne. He died unmarried September 1764.

5. *John*, died in childhood prior to 9 September 1728.[2]

6. *Richard*, born 10 February 1724.[3] On 29 September 1743 he obtained a commission in the Army. On 2 October 1751 he was appointed Solicitor to the Court of Police in Scotland. He served under Wolfe at Quebec, and on 13 May 1764 he was appointed Deputy Adjutant-General of the troops in North

[1] Lauderdale Peerage Case, Major Maitland's Case, 20. [2] *Ibid.*, 21.
[3] Edin. Reg.

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America. He died at New York 13 July 1772. By his wife Mary MacAdam, whom he married on his deathbed, 11 July 1772, and who died 10 January 1787, he had issue:—

(1) *Richard*, born in 1767. Educated at the High School of Edinburgh, entered the Royal Navy 1777, obtained a commission in the 86th Foot 1780, and after serving in that and other regiments he died 17 March 1802. He had no issue by his wife Harriot, daughter of John Bower of Scorton, whom he married 26 February 1789, and who after his death was married, secondly, 12 May 1804, to Powles Harrison, and survived till June 1845.[1]

(2) *Patrick*, born 1770, at an early age entered the Royal Navy, thereafter went into business, and became a partner of John Palmer and Company, Bankers, Calcutta. He acquired property in Fife, and built Kilmaron Castle there. He married, 28 February 1807, Anne, daughter of Colthurst Bateman, and died at Cheltenham 29 January 1821,[2] having had issue:—

i. *Frederick* Colthurst, born 1 January 1808, entered the military service of the Honourable East India Company, and attained the rank of major-general. He died at Deptford 3 August 1876. He married, 29 August 1837, Anna Dering, daughter of Stephen Williams, Barrister-at-Law, who survived him till 24 March 1887, and by her had issue:—

(i) FREDERICK HENRY, thirteenth Earl of Lauderdale.

(ii) *George*, born 23 December 1841, lieut.-col. Bengal Staff Corps, retired 1886. He was granted the rank and precedence of an Earl's son 29 August 1885.

(iii) *Ellen*, born 1839, died unmarried 1852.

ii. *Patrick John*, born 12 May 1816. He married, 1838, Laura, daughter of H. Roberts of Peckham Rye, who died 1849, and had issue:—

(i) *Frederick*, born 1846.

(ii) *Charlotte*, born 1839.

(iii) *Laura*, born 1842, married to C. Ross.

iii. *Eliza*, born 22 December 1808, married 6 February 1827, to William Norris Reade of Rossmona, co. Kilkenny, and died 3 September 1884.[3]

(3) *John*, born October 1771, entered the Royal Navy when very young, became Rear-Admiral of the Red 19 July 1821. He married, first, 22 April 1799, Elizabeth, daughter of Archibald Ogilvie of Inchmartine; and, secondly, 8 January 1820, Dora, daughter of Colthurst Bateman, and died, without issue of either marriage, 20 October 1836.

(4) *James*, born 1772, after his father's death. Lieut.-col. of the 75th Foot. He never married, and was killed at the siege of Bhurtpoor 9 January 1805.

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[1] See Major Maitland's Case for definite authorities for many of the statements made in this part of the article. [2] *Ibid.* [3] *Ibid.*, and evidence in the proceedings before the Committee of Privileges.

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7. *Sir Alexander*, born 21 March 1728, described in a bond of provision by his father, dated 9 September 1728, as 'my fifth lawful son.' After a distinguished military career he attained the rank of general in 1793, and was created a baronet 30 November 1818, with remainder to the heirs-male of his body. On 27 June 1754 he married Penelope, daughter of Colonel Martin Madan, who died 22 December 1805. Sir Alexander died at Totteridge, Herts, 14 February 1820, having had issue:—

(1) *Sir Alexander Charles*, his successor.
(2) *William*, born 1757, drowned in the Bay of Bengal 1781.
(3) *Augustus*, entered the Army 1779, lieut.-colonel of the Guards; died unmarried, 31 October 1799, from wounds received at Egmont-op-Zee.
(4) *Frederick*, born 3 September 1763. After a distinguished military career he rose to the rank of general, and received the thanks of the House of Commons 14 April 1809. He married, 1790, Catherine, daughter of John Prettyjohn of Barbadoes, and died 27 January 1848, having had issue:—

i. *John Madan*, born 12 August 1798. He married, first, 24 October 1822, Elinor, only daughter of Gilbert Annesley, who died 15 October 1823, and secondly, 21 July 1829, Harriet, daughter of the Rev. Joseph Pratt. He died 14 October 1842, having had issue by his first marriage, one daughter.
ii. *Frederick Thomas*, born 18 September 1807, a lieut.-colonel in the Army, married, 18 July 1842, Emily Augusta Mary, daughter of Major Richard Bingham Newlands, and died 1883, having had issue.

Sir Alexander Charles, born 21 August 1755. He died 7 February 1848, having married, 30 April 1786, Helen, daughter and heiress of Alexander Gibson, Knight, of Cliftonhall and Kersie, by whom he had issue, besides five daughters:—

i. *Alexander Gibson Maitland*.
ii. *James*, born 1789, died 1826.
iii. *Charles*, born 1792, a midshipman in the Royal Navy, died 1808.
iv. *Augustus*, born 27 March 1800, a Writer to the Signet, 1824; married, 1 June 1843, Eliza Jane, daughter of the Rev. W. P. Richards, D.D., and died 26 January 1855, leaving issue.
v. *John*, born 27 January 1803. Accountant to the Court of Session. He died 23 January 1865, having married, 9 November 1852, Mary Isabella, daughter of John Philip Wood, who survived him till 1886.
vi. *Frederick Charles*, born 1812, died 31 October 1890, having married, 1872, Emily Jeanette, daughter of Colonel John Craigie, and widow of J. W. Maxwell Lyte, without issue.

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Alexander Gibson Maitland, born 14 September 1787, admitted an advocate 1810. He married, 25 March 1819, Susan, eldest daughter of George Ramsay of Barnton, and died *vitâ patris* September 1828, having had issue:—

(i) *Sir Alexander Charles* Ramsay Gibson Maitland.

(ii) *George* Ramsay, born 19 January 1823, Writer to the Signet 1849, died 24 June 1866, having married, 19 September 1848, Alice Anne, daughter of Josiah Nisbet, H.E.I.C.S., by whom he had issue.

(iii) *William* Ramsay, born 1825, died 1831.

(iv) *Keith* Ramsay, born 20 October 1827, sometime colonel of the 79th Highlanders, died 30 October 1893, having married, 27 July 1861, Georgina Harriet, daughter of Alexander Grant Glass, with issue.

(v) *Jean Hamilton*, married, 1856, to A. R. Bulwer, of Tomard, Kildare, with issue, and died 1877.

(vi) *Helen*, married, 8 April 1851, to James Alexander Hunt of Pittencrieff, died 9 December 1889.

Sir Alexander Charles Ramsay Gibson Maitland, born 7 January 1820. He married, 3 February 1841, Thomasina Agnes, daughter of James Hunt of Pittencrieff. In 1865 he succeeded to the large estates of his mother's family. He died 16 May 1876, having had issue:—

a. Sir James Ramsay Gibson Maitland, fourth Baronet.

b. William Forbes, born 16 April 1852, died 30 December 1863.

c. Keith, born 5 July 1855, Barrister-at-Law, married, 27 November 1886, Ina Blanche, daughter of G. R. Caldwell, who died 25 January 1892. He died 25 June 1897, leaving an only daughter *Esmé Frances*.

d. Susan Jean, born 1850.

e. Margaret, died December 1877.

f. Agnes Maud, died September 1879.

Sir James Ramsay Gibson Maitland, fourth Baronet, born 29 March 1848, and died 9 November 1897. He unsuccessfully claimed the Peerage on the death of the twelfth Earl. He married, 12 May 1869, Fanny Lucy Fowke, daughter of Sir Thomas Wollaston White, and by her, who died 17 March 1896, had issue two daughters.

8. *Frederick Lewis*, born 19 June 1730, entered the Royal Navy, in which he became lieutenant in

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1749, and captain in 1759. He married, 27 August 1767, Margaret, daughter of James Dick of Colluthie and Isabella, daughter of David MakGill of Rankeillour and Lindores, and through her mother, the sister and heiress of James MakGill of Rankeillour, eventually the representative of that family. He died 16 December 1786, survived by his widow until 1825. They had issue:—

(1) *Charles* Maitland of Rankeillour, born 26 November 1769, served in the 17th Light Dragoons, married, 26 August 1794, Mary, daughter of David Johnston of Lathrisk, and died 1820, having had by her, who survived till 1824, seven sons and four daughters.

(2) *James* Heriot Maitland of Ramornie, born 11 September 1774, passed as Writer to the Signet 1798, assumed the name and arms of Heriot of Ramornie on his succession to that estate, under an entail made by Captain William Heriot, dated 6 September 1771. He married, 31 December 1813, Margaret, daughter of William Dalgleish of Scotscraig, and died 24 April 1848, having had issue by her, who survived till 28 January 1869, four sons and eight daughters.

(3) *Sir Frederick* Lewis, born 17 February 1777, when very young entered the Royal Navy, in which he served with great distinction, and rose to the rank of rear-admiral. On 17 November 1830 he was created K.C.B. He was in command of the *Bellerophon* when the Emperor Napoleon surrendered on 15 July 1815, and wrote a full account of what took place, which was subsequently published. He acquired Lindores. He married, April 1804, Catherine, daughter of Daniel Connor of Ballybricken, who survived him till 1865, and died, without surviving issue, 30 December 1839.

(4) *Robert*, a midshipman, died 1801, off Bombay.

(5) *Mary Turner*, married, 5 April 1793, to Henry Scrymgeour Wedderburn of Birkhill, with issue, and died 1851.

(6) *Elizabeth*.

(7) *Isabella*, married, 8 July 1794, to William Roy of Nenthorn, with issue, and died 1825.

9. *Patrick*, born 10 April 1731. Sometime captain of an East Indiaman. He purchased Freugh and Balbreggan in the year 1776. He married, 29 September 1774, Jane Maitland, widow of John, ninth Earl of Rothes (*see that title*), and died 19 May 1797, having had issue:—

(1) *John*, his heir, born 1779; married, 1802, Jane, daughter of Sir W. Maxwell of Monreith, and died 1811, leaving issue.

(2) *Mary Turner*, born 1775, died 23 January 1861.

(3) *Elizabeth*, died young.

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10. *John*, served in the Marines, in which he rose to the rank of major in 1775. Elected M.P. for the Haddington Burghs, 1774. Lieutenant-colonel of the 71st Foot 9 March 1779. He distinguished himself greatly in the American War, and died, unmarried, at Savannah, 12 October 1779.
11. *William*, born 24 March 1733, died young.
12. *Ann*, born 28 May 1712, died young.
13. *Elizabeth*, married, first, in 1739, to James Ogilvy of Rothiemay and Inchmartine, with issue; secondly, 17 August 1765, to General Robert Anstruther of Balgarvie, who died 1767. She died 24 September 1804.
14. *Mary*, died young.
15. *Janet*, born 1720; married, 11 November 1744, to Thomas Dundas, M.P., of Fingask and Carronhall, who died 17 April 1766, and by whom she had issue.[1] She died 29 December 1805.
16. *Eleanora*, born 7 October 1727, died young.

VIII. James, seventh Earl of Lauderdale, born 23 January 1718. He entered the Army while young. He became lieutenant-colonel of 16th Regiment of Foot 1745, and succeeded his father 15 July 1744. He was elected a Representative Peer of Scotland, 1747, and re-elected on various subsequent occasions. Under the Act of 1747, abolishing heritable jurisdictions, he got for the Regality of Thirlestane and Bailiary of Lauderdale £1000 in full of his claim of £8000. He was appointed a Lord of Police for Scotland February 1766, and retained that appointment until the abolition of the board in 1782. He died at Halton 17 August 1789, having married, 24 April 1749, Mary Turner, only child and heiress of Sir Thomas Lombe, an alderman of London.[2] She died at Halton 24 April 1789, aged fifty-five. They had issue:—

1. *Valdave Charles Lauder*, born 14 December 1752, died 5 September 1754.
2. James, eighth Earl of Lauderdale.
3. *Sir Thomas*. He had a company in the 78th Regiment of Foot 14 January 1778; in 1790 was elected Member of Parliament for the Haddington Burghs. He became lieutenant-colonel of 62nd Foot, 1796, a Privy

[1] See Wood's Douglas, ii. 76 *n.* [2] *Ibid.*, 78 *n.*

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Councillor, Member of the Board of Control, and again Member of Parliament for the Haddington Burghs, 1802, Major-General and Commander-in-chief in Ceylon 1805. Thereafter he became Lieutenant-General, Governor of Malta and the Ionian Islands, and a G.C.B. He was well known in the service and in contemporary memoirs as *King Tom.* He died unmarried 1824.

4. *John*, died at Halton 8 October 1768.
5. *William Mordaunt*, a cornet in 10th Dragoons 1779, had a company in the 72nd Foot 1790, and fought at Seringapatam, where he was wounded 1792. He rose to the rank of lieutenant-general, and died 24 June 1841, having married, first, Mary, daughter of the Rev. Richard Orpen, and widow of John Travers of Fir Grove, Cork; and, secondly, 5 June 1810, Jane, daughter of the Rev. Thomas Walker, and widow of Dalhousie Watherstone of Manderstone. By his first marriage he had issue two sons who died young, and

   THOMAS, eleventh Earl of Lauderdale.
6. *Charles*, died in infancy 24 March 1767.
7. *Hannah*, died at Halton 16 September 1768.
8. *Elizabeth*, married, 9 April 1770, to David Gavin of Langton, with issue, and died 1824.
9. *Mary Julian*, married, 9 March 1770, to Thomas Hog of Newliston, with issue, and died 2 February 1795.
10. *Hannah Charlotte*, married, 18 April 1785, to George, seventh Marquess of Tweeddale (*see that title*), with issue, and died 8 May 1804.
11. *Jane*, married, first, 31 December 1787, to Samuel Long, of Bloomsbury Square, London, with issue; and, secondly, 5 November 1808, to General Sir William Houston, G.C.B. She died 1834.
12. *Isabel Anne*, married, 1 July 1793, to Francis Dashwood, described by Mr. Wood as son of Sir Francis Dashwood, Lord Le Despencer, who, however, left no legitimate issue. She died 4 September 1858.

IX. JAMES, eighth Earl of Lauderdale. He was born 26 January 1759, and educated at the Universities of Edin-

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burgh and Glasgow and in Paris. In 1760 he became a Member of the Faculty of Advocates, and was also elected Member of Parliament for Newport. In 1784 he became Member for Malmesbury, and was one of the Managers for the House in the discreditable impeachment of Warren Hastings. Having succeeded his father in 1789, his seat became vacant, but next year he was elected a Representative Peer, and continued to take a prominent part in public life. He was in Paris during the massacres of September 1792, and from his sympathy with the French revolution was frequently known as *Citizen Maitland*. When his political associates came into power in 1806 he was created a Peer of the United Kingdom as LORD LAUDERDALE of Thirlestane Castle, in the county of Berwick, and was appointed a Privy Councillor and Keeper of the Great Seal of Scotland, an office which he only held till the fall of the ministry in the beginging of 1807. In the same year he was also sent on a diplomatic mission to France, and attempted without success to negotiate a treaty of peace.

In 1821 he received the order of the Thistle, as a reward, it was believed, for his zealous support of the proceedings against Queen Caroline. He wrote a good deal on economic subjects, and frequently took part in the judicial as well as in the legislative business of the House of Lords. He died 15 September 1839. He married, 15 August 1782, Eleanor, daughter and heiress of Anthony Todd, Secretary of the General Post Office, who survived him till 16 September 1856, and had issue:—

1. James, ninth Earl of Lauderdale.
2. Anthony, tenth Earl of Lauderdale.
3. *John*, born 5 March 1789, colonel of the 32nd Regiment of Foot, died unmarried 18 January 1839, while on service in Canada.
4. *Charles James Fox*, born 6 November 1793, died at Cambridge, unmarried, 18 December 1817.
5. *Anne*, born October 1786; married, 1807, to Robert Fraser of Torbreck, with issue, and died 22 June 1829.
6. *Mary*, born 4 January 1788; married, 3 September 1819, to Edward Stanley of Cross Hall, with issue, and died 8 November 1877.

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7. *Eleanor*, born 3 October 1790; married, 19 January 1815, to James Balfour of Whittinghame, with issue, and died 23 May 1869.
8. *Julian Jane*, born 10 October 1791; married, 10 April 1823, to Sir John Warrender, with issue, and died 19 May 1827.
9. *Charlotte*, born 10 October 1792, died 13 March 1813.

X. James, ninth Earl of Lauderdale, born 12 May 1784, M.P. for Appleby 1820 to 1831. Thereafter he took little part in public affairs, but attended carefully to the management of his own estates, to which he made considerable additions. For many years he was Lord-Lieutenant of Berwickshire. He died, unmarried, 22 August 1860, and was succeeded by his only surviving brother,

XI. Anthony, tenth Earl of Lauderdale, born 10 June 1785. When very young he entered the Royal Navy, and in 1801 fought at the battle of Copenhagen, where he was wounded. He rose to the rank of Rear-Admiral of the Red, and was also created G.C.B. and K.C.M.G. He died, unmarried, 22 March 1863, when the Peerage of the United Kingdom conferred on his father became extinct, and the Scots honours devolved on his cousin,

XII. Thomas, eleventh Earl of Lauderdale (*see ante*, p. 318), born 3 February 1803. Like so many of the family he served in the Navy with distinction. He became Admiral of the Fleet and principal naval A.D.C. to the Queen. He was also created G.C.B. and a Knight of the Spanish Order of Charles III. In 1867, and again in 1868 and 1874, he was elected a Representative Peer of Scotland. He died 1 September 1879, having married, 1828, Amelia, daughter of William Young of Rio de Janeiro, and by her, who died 18 February 1890, had issue an only son,

1. *Thomas Mordaunt*, born February 1838, died 7 August 1844,

and three daughters:—

2. *Isabel Anne*, born 4 September 1843, died 5 May 1854.
3. *Mary Jane*, born 15 March 1847; married, 7 January 1868, to Reginald, twelfth Earl of Meath, with issue.

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4. *Alice Charlotte*, born 14 October 1848, died 30 January 1853.

The Earl was succeeded by his cousin,

XIII. CHARLES, twelfth Earl of Lauderdale (see *ante*, p. 312). He was born 29 September 1822. On 8 November 1864 he was served as great-grandson and heir-male of Charles Barclay Maitland, third (in the service designed second) son of Charles, sixth Earl of Lauderdale. On 14 October 1874 he was served heir-male of James, ninth, and Anthony, tenth, Earls of Lauderdale. While shooting near Thirlestane, on 12 August 1884, he was killed by lightning. On his death, unmarried, the honours were claimed by Major Frederick Henry Maitland, descended of Richard, the sixth son of the sixth Earl (see *ante*, p. 312), and by Sir James Ramsay Gibson Maitland, representative of Alexander, seventh son of Charles, sixth Earl of Lauderdale (see *ante*, p. 315). After an elaborate inquiry, the Committee of Privileges resolved that 'Frederick Henry Maitland hath made out his claim to the titles, honours, and dignities of Earl of Lauderdale, Viscount of Lauderdale, Viscount Maitland, Lord Thirlestane, and Lord Thirlestane and Boltoun, in the Peerage of Scotland.' The family honours, including the baronetcy of 1680, and the entailed estates accordingly devolved on

XIV. FREDERICK HENRY, thirteenth Earl of Lauderdale, born 16 December 1840. After serving as lieutenant in the 4th Hussars, he, in 1874, entered the Bengal Staff Corps, in which he became major 1881, and lieutenant-colonel in 1886. From 1869-1886 he was employed by the Foreign Department of the Government of India. He is Lord-Lieutenant of Berwickshire, and Hereditary Royal Standard-bearer for Scotland.[1] Lord Lauderdale married, first, 28 November 1864, Charlotte Sarah, daughter of Lieutenant-Colonel B. W. A. Sleigh, and by her (who died September 1879) has issue:—

1. *Frederick Colin*, Viscount Maitland, born 12 April 1868. Lieutenant Scots Guards 1889. Served in South Africa with the Imperial Yeomanry as captain and adjutant, lieutenant-colonel commanding the

[1] This office is also claimed by Mr. Scrymgeour Wedderburn, and for some time past has been the subject of litigation.

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City of London Imperial Yeomanry; gentleman-at-arms 1903. He married, 16 April 1890, Gwendoline Lucy, daughter of the late Judge R. Vaughan Williams of Bodlonfa, Flint, and by her has issue,

Ian Colin, born 30 January 1891.

2. *Sydney George William*, born 12 December 1869, formerly lieutenant 3rd Battalion Royal Scots Fusiliers, took holy orders in the Church of England. Married, 11 April 1899, Ella Frances, daughter of the Rev. James Richards, Vicar of St. Peter's, Rochdale, and has issue.
3. *Alfred Henry*, born 9 December 1872, captain in the Cameron Highlanders. Served in the Soudan and South Africa. Married, 5 January 1905, Edith, youngest daughter of S. Z. T. Scobell, of Down House, Redmarley, Worcestershire.
4. *Nora*, born 21 March 1877; married, 24 October 1899, to William Fitzherbert, second son of the Rev. Sir Richard Fitzherbert, Bart.

Lord Lauderdale married, secondly, 16 October 1883, Ada Twyford, daughter of the Rev. Henry Trail Simpson, Rector of Adel, and by her has issue,

5. *Ada Marian*, born 21 June 1884; married, 12 December 1905, to Sir Ralph H. S. Wilmot, Bart.

Creations.—Lord Thirlestane 17 May 1590; Viscount of Lauderdale 2 April 1616; Earl of Lauderdale, Viscount Maitland, Lord Thirlestane and Boltoun, 14 March 1624; Duke of Lauderdale, Marquess of March, Earl of Lauderdale, Viscount Maitland, Lord Thirlestane, Musselburgh, and Boltoun, 26 May 1672 (extinct 24 August 1682), all in the Peerage of Scotland. Earl of Guilford and Lord Petersham in the Peerage of England 25 June 1674 (extinct 24 August 1682); Lord Lauderdale of Thirlestane Castle in the Peerage of the United Kingdom 22 February 1806 (extinct 22 March 1863).

Arms (recorded by the Duke of Lauderdale about 1672).—Or, a lion rampant gules couped in all points of the first within a double tressure flory counterflory azure.[1]

[1] In 1790 James, Earl of Lauderdale, matriculated the same achievement, but behind the supporters were placed 'the Royal Standards of

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CREST.—A lion sejant full faced gules crowned or, holding in his dexter paw a sword proper hilted and pommelled or, and in the sinister a fleur-de-lys azure.

SUPPORTERS.—Two eagles proper.

MOTTO.—*Consilio et animis.*

[J. R. N. M.]

Scotland, on staffs in saltire proper, that on the dexter being or, charged with a lion rampant gules armed and langued azure within a double tressure flowered and counterflowered with flowers de lys of the second fringed of the last, and that on the sinister azure, a saltire or cross of St. Andrew argent fringed or, each standard having ropes and tassels of the last.'

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THE CELTIC EARLS OF LENNOX

LENNOX was not one of the so-called seven Provinces of Scotland, but as a district derived its name from the Gaelic rendering of the vale of the Leven, including the great lake of Loch 'Leven' now known as Loch Lomond. It was styled Levenauchen or Levenachs, softened into Levenax or Lennax, signifying 'the field of the smooth stream.' The district embraced under this name, and included in the earldom, contained the whole of the ancient sheriffdom of Dumbarton, the parishes of Arrochar, Baldernock, Balfron, Bonhill, Buchanan, Cardross, Drymen, Dumbarton, Fintry, Killearn, Kilmarnock, New Kilpatrick, Old Kilpatrick, Luss, Roseneath, Row, and Strathblane, with Campsie and Kilsyth, being all within the bounds ruled over by the Earls of Lennox.[1] This large territory was, it is said, erected by King Malcolm IV. into an earldom in 1154 in favour of a certain Alwin, who is referred to in two later writs of date about 1200 as Alwin the elder, Earl of Lennox.[2] The year of erection here assigned is probably too early. Dr. Skene expresses the opinion that Lennox was one of

[1] Killearn and Baldernock were in Stirlingshire, and Fintry, Campsie, Balfron, Drymen, Strathblane, and Inchcalleoch, now Buchanan, were disjoined from Dumbartonshire and included in Stirlingshire (*Acta Parl. Scot.*, ii. 241, 243-251, 268) [2] *Reg. Epis. Glasguensis*, i. 86, 87.

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two earldoms created by King William the Lion in favour of his brother David, the other being Garioch, and that Lennox came to Alwin about the year 1193, or that David resigned it when he became Earl of Huntingdon in 1184.[1] This view, however, must be qualified by other evidence. It is not clear that Garioch ever was an earldom, as it is usually described as a lordship, and it will be shown that Lennox was already an earldom when it was bestowed on Prince David. There can be little doubt that there were two Earls of Lennox of the name of Alwin, but their ancestry has hitherto been a matter of speculation. Two rival theories were put forward. The first, suggested by Crawfurd, elaborated by Douglas's *Peerage* (both editions), and more recently accepted and expanded by Sir William Fraser, traced the descent from a certain Arkill or Archill, a Northumbrian magnate who was made an exile by William the Conqueror, and who is alleged, though there is no evidence on the point,[2] to have come to Scotland in 1070 and to have received a grant of lands in the Lennox.[3] This theory assumes that the first Alwin, Earl of Lennox, was identical with Alwin Macarchill, a personage who appears frequently as a witness to charters of King David I., and also to a few of his successor's, down to 1154 or later.[4]

The other theory is that of a Celtic descent, put forward by Dr. Skene. In his work on *The Highlanders of Scotland*, first published in 1837, Mr. Skene's views on the parentage of the first Earl of Lennox were admittedly uncertain, and, apparently on the authority of a passage in Lord Strathallan's *Genealogy of the House of Drummond*,[5] he inclines to the theory that 'the Earls of Lennox, before they acquired that dignity, were hereditary seneschals of Stratherne and bailies of the Abthainrie of Dull in Atholl.'[6] He also, in the

[1] *Celtic Scotland*, iii. 70; 1185 was the true date of David's becoming Earl of Huntingdon. [2] Simeon of Durham (Rolls Series, i. 217) only says that Arkill was made an exile; he does not say he fled to Scotland. [3] Douglas, *sub voce* Lennox; Fraser's *The Lennox*, i. 190-199, where the theory is fully stated. [4] Cf. Early Scottish Charters, *per Index*. [5] Lord Strathallan states that Malise, a son of Ferchad, Earl of Strathearn, had from his father the office of Seneschal of Strathearn, and married Ada, a daughter of David, Earl of Huntingdon, from whom he received the earldom of Lennox and became the ancestor of the later Earls. Malise did marry Ada, an illegitimate daughter of Earl David, but is not known to have had issue. [6] *The Highlanders of Scotland*, ii. 152.

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same work, asserts that 'during the reign of Malcolm IV. and a part of that of William the Lion, their brother David, Earl of Huntingdon, appears as Earl of Lennox.' In his later work, *Celtic Scotland*, Dr. Skene modified his opinions considerably, and supplied evidence which fully justifies a Celtic descent being ascribed to the first Earl of Lennox, of whom we now treat.

I. ALWIN, first Earl of Lennox, though he is distinctly named in his son's charters as Alwin the elder, Earl of Lennox, is historically a very shadowy personage, but the combined evidence of a contemporary poet and of an ancient Celtic genealogy,[1] without following the latter to its ancient and perhaps mythical beginning, makes it probable that his father was named Muredach, and his grandfather Maldouen. The latter, Mr. Skene goes so far as to suggest, was identical with Meldionneth, son of Machedeth, the 'good and discreet judge,' who, in 1128, aided in settling a dispute as to the bounds of Kirkness. Be this as it may, the evidence, so far as it goes, seems to suggest that the immediate ancestors of Alwin were not only Celtic chiefs but were Mormaors of their own district. So also probably was Alwin before he was made Earl. The date of his creation, if such a ceremony ever took place, can only be presumed, as the evidence is very meagre. One charter by King William the Lion granting the Lennox to his brother David is now accessible, and its date may be stated to be between 1178 and 1182.[2] This writ was unknown to Mr. Skene, and it qualifies his view that David was Earl of Lennox during Malcolm's reign, as the charter conveys the earldom of Lennox ('comitatum de Leuenaus cum omnibus pertinenciis'), thus showing that the earldom had been already constituted and its limits defined before 1178. But there is evidence that Prince David may have had the earldom earlier, as he grants the churches of Campsie and Altermunin to the monks of Kelso, by a charter which is

[1] *Celtic Scotland*, iii. 360, 361, 476. Muredach Albanach, an ancient bard who flourished, there is good evidence to show, between 1180 and 1225, and probably earlier, refers in a poem to Alwin as son of Muredach, both apparently being styled Mormaors of Lennox (*ibid.*, 117, 455; Dean of Lismore's Book, by Rev. T. M'Lauchlin, 157, 158). His poem corroborates the genealogy of 1450. [2] *Chartulary of Lindores*, Scot. Hist. Soc., 1.

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confirmed by King William about 1177, or perhaps so early as 1173.[1] He may therefore have had an earlier grant of the earldom. It may be noted that Prince David is nowhere styled 'Earl' of Lennox, but his occupancy complicates the difficulty of fixing the date of Alwin's possession as Earl, though it is probable it was not quite so early as 1154, the date usually assigned, while, as stated, it may have been so late as 1185.

There are no charters of the first Earl Alwin known to exist in any form, but there can be little doubt that he was Earl for a time, and did grant lands to the church of Kilpatrick, though the date is uncertain. The poem by Muredach Albanach, his contemporary, adds little or nothing to our knowledge of him, except that his chief seat was at Balloch,[2] afterwards a residence of the Earls. It is not known when he died, but it must have been before 1199. He left issue, but the name of his wife is unknown:—

1. ALWIN, who succeeded.
2. *Eth*, who is described as son of the Earl of Lennox, and is witness to a charter, dated about 1193, by Duncan, afterwards Earl of Carrick, granting the lands of Little Maybole to the monks of Melrose.[3]

Alwin the first may have had other offspring, as Earl Alwin the second also refers in one writ, before 1199, to 'Rodarc' or 'Rodard,' his nephew, and in another writ (1207-1214) to 'Gillescop Galbard,' his nephew, a person who appears later as the ancestor of the family of Galbraith. These were apparently brothers.[4]

II. ALWIN, second Earl of Lennox, styles himself 'son and heir of Alwin, Earl of Lennox,' and is styled by his son 'Alwin, younger, Earl of Lennox, son and heir of Alwin, elder, Earl of Lennox,'[5] thus leaving no doubt of his parentage nor that he was the second Earl of his name. The grant to Earl David of the earldom may have been made during his minority, as he would then be a ward of

[1] *Reg. de Calchou*, 186, 304. [2] *Celtic Scotland*, iii. 117-119. [3] *Liber de Melros*, i. 22; *Chron. de Mailros*, 100. [4] *Reg. de Passelet*, 157, 213, 217; *Reg. Epis. Glasguensis*, i. 87. [5] In charters by them to the church of Glasgow (1207-14), *Reg. Epis. Glasguensis*, i. 86, 87.

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the Crown. When he was fully invested in his earldom is unknown, but the first notice of him is a charter by himself to the church of Kilpatrick of the lands of Cochnach and others. This charter is of uncertain date, and can be fixed only as between 1182 and 1199, the year when Jocelyn, Bishop of Glasgow, died, who was present at the granting. Maldouen and Malcolm, two of the granter's sons, are witnesses.[1] Between 1208 and 1214 he, as son and heir of Alwin, Earl of Lennox, bestowed the church and the church lands of Campsie upon the church of Glasgow.[2] He also, at some unknown date, granted to Maldouen, Dean of Lennox (perhaps a kinsman), the lands of Luss, which afterwards came by marriage into possession of, and still belong to, the ancient family of Colquhoun.[3] It is not certain when the second Earl Alwin died, but it was apparently before 1217, when his son Maldouen seems to have been Earl. Alwin is said to have married Eva, daughter of Gilchrist, Earl of Menteith. He had issue:—

1. MALDOUEN, who succeeded as Earl.
2. *Murdach*, named by Earl Maldouen as first of his brothers, Dugald, Aulay, and Duncan being the others, in a charter of or before August 1217.[4] It is probably he who is described as Muredach, son of the Mormaor of Lennox, and celebrated as victorious in a conflict in 1215.[5]
3. *Dugald*, rector of Kilpatrick, named first in a charter about 1217. He alienated the extensive possessions and emoluments of that benefice from the church to his own uses, and the Abbot and convent of Paisley, to whom the rectory belonged, accused him to the Pope. A commission of inquiry was appointed, and after hearing witnesses, Dugald, finding the case going against him, threw himself upon his accuser's mercy and resigned the lands he had alienated, in favour of the Abbey of Paisley. He was allowed to retain his church for life with about fifty acres of

[1] *Cart. de Levenax*, 12; *Reg. de Passelet*, 157; Sir W. Fraser in his work on Lennox dates this writ in or before 1193, without giving reasons. He apparently confuses this grant with one which must have been made by the first Alwin. [2] *Reg. Epis. Glas.*, i. *ut cit.* [3] *Cart. de Levenax*, 97; *The Chiefs of Colquhoun*, by Sir W. Fraser, i. 13, 14; ii. 272. [4] *The Lennox Book*, ii. 402. [5] *Chron. of Picts and Scots*, 374.

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land.[1] In 1271 his three grand nieces were his heirs.

4. *Malcolm*, who is named in the charter by his father to the church of Kilpatrick before 1199.[2] He is also a witness to various charters by his brother, Earl Maldouen.[3] The date of his death is uncertain. He had issue a daughter, married to Finlay de Campsy, son of Robert of Reidheugh, by whom she had (1) *Mary*, wife of John de Wardroba, (2) *Helen*, wife of Bernard de Erth, ancestors of the Stirlings of Craigbernard and Glorat, and (3) *Forveleth*, wife of Norin of Monorgund. They were retoured, on 24 April 1271, as heirs of their grandfather Malcolm and grand-uncle Dugald.[4]

5. *Aulay* (a name which is very variously spelt), named in 1217, who had grants of the lands of Faslane, and of Roseneath, Glenfruin, and others on the Gareloch, from his brother Earl Maldouen, confirmed by King Alexander II. 31 May 1226.[5] He made liberal grants to the Abbey of Paisley, especially a large range of net fishing in the Gareloch, reserving to himself every fourth salmon taken.[6] He was also a witness to various charters by his brother the Earl, and was still alive in 1250. He had a son,

Aulay, who is named with his father in a charter of uncertain date, and also in a charter by Earl Maldouen in 1250.[7] He had a son,[8]

Duncan, who is referred to as Duncan, son of Aulay, in various writs, and attained the rank of knighthood. He is named as a juror in 1271; he was a knight in 1294, and he was still alive in 1306 and had joined Bruce, as a request was made to the English King for his lands.[9] He had a son,

Aulay, styled Aulay or Allan de Faslane, on whom Malcolm, Earl of Lennox, bestowed the office of 'Tosheagor' or heritable bailie, given up appar-

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[1] *Reg. de Passelet*, 162-165. [2] *Ibid.*, 137. [3] *Ibid.*, 159, 218; *Cart. de Levenax*, 25, 26. [4] *Cart. de Levenax*, 52; *Reg. de Passelet*, 180-203. [5] *Cart. de Levenax*, 92. [6] *Reg. de Passelet*, 209-211. [7] *Cart. de Levenax*, 91; *Reg. de Passelet*, 172. [8] Aulay may have had two sons, Duncan, named in the text, and another, who is described as 'Alwin, son of Aulay,' in 1271, along with Duncan, though there is no statement of relationship to Duncan (*Reg. de Passelet*, 191). [9] *Reg. de Passelet*, 191, 203*; *Cart. de Levenax*, 22; Palgrave's *Documents*, 311.

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ently for the time by Patrick Lindsay of Bonhill.[1] He was succeeded in the office by his son,

WALTER de Faslane,[2] who married Margaret, daughter of Donald, Earl of Lennox, and possessed the earldom in her right. A further notice of him is given below.

6. *Duncan*, named in 1217 as a brother of Earl Maldouen, and also in other writs by the Earl, the last being in 1250.
7. *Gilchrist*, named in 1217, who obtained from his brother Earl Maldouen the lands of Arrochar, and became the ancestor of the Clan Macfarlane. He appears frequently as a witness to his brother's charters, the latest being in 1250. It has also been suggested that he is the same as Christinus, who is named as a brother of the granter in a charter by Earl Maldouen to Maurice Galbraith.[3]
8. *Henry*, who appears in several charters of Earl Maldouen as his brother.[4]
9. *Corc*, who appears once, as a witness, among Earl Maldouen's brothers.[5] He had a son, *Murdoch*, who had charters of the lands of Croy.[6] His descendants in the time of King David II. had a charter of the lands of Leckie and assumed that surname.[7]
10. *Ferchar*, who is named once, in 1217, with Aulay, Duncan, and Gilchrist, as brothers of the Earl, in a charter to Eva, their sister, and her husband.[8]
11. *Eva*, to whom, in or about 1217, Earl Maldouen granted the lands of Glaskel or Glaswel in free marriage with Malcolm, son of Duncan, thane of Callendar.[9] On 10 August in that year the Earl renewed the grant to her and her husband, and added part of

[1] *Cart. de Levenax*, 49, 93. [2] In giving the pedigree of Walter of Faslane Sir. W. Fraser inadvertently makes it too brief by making the second Aulay and Duncan brothers instead of father and son. The present pedigree, worked out from the Chartulary of Lennox, agrees, on independent grounds, with the genealogy of 1450, given in *Celtic Scotland*, iii. 476. [3] *Cart. de Levenax*, 27; note by Major R. G. Edwards Leckie, kindly communicated, who believes 'Christinus' to be identical with 'Cristinus Judex de Levenax' (*The Lennox Book*, i. 214); and if so, he must be identical with Gilcrist the judge, named in a charter of the lands of Luss as a witness with Gillecrist, the Earl's brother; therefore a separate personage. [4] *Cart. de Levenax*, 20, 31, 35, 37, 98, 99. [5] *Ibid.*, 98. [6] *Ibid.*, 79, 80, 81. [7] *The Lennox Book*, ii. 409, 411. [8] *Ibid.*, 401. [9] *Ibid.*, 402.

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Kilsyth, with the patronage of the church, then styled Moniabroc.[1] They had issue *Alwin*, Thane of Callendar, ancestor of the family of that name.

III. Maldouen, third Earl of Lennox, who first appears on record in a charter by his father, Earl Alwin, to the church of Kilpatrick before 1199.[2] Between 1208 and 1214 he granted the church of Campsie to the bishopric of Glasgow, and was then son and heir of his father.[3] He succeeded before 10 August 1217, when he, as Earl, bestowed the lands and church of Kilsyth on his sister Eva and her husband.[4] From this date on to 1250 he is frequently found granting charters, chiefly to the Abbey of Paisley.[5] Other grants made by him were those to his brother Aulay of the lands of Faslane, to Gilchrist of the lands of Arrochar, and of the large territory of Colquhoun to Humphrey Kilpatrick. Following the example of King William the Lion, he was admitted into the fraternity of the Abbey of Arbroath, and in recognition of the fact he gave 'his brothers' an alms of four oxen each year, at Stirling, on St. John Baptist's Day, with a promise that, at his death, they were to have twenty oxen. His name and that of his brother Aulay were to be inscribed in the Abbey martyrology, 'that each year at our anniversary we may be absolved in their chapter.' This grant, which was continued yearly until 1317, when it was commuted into a yearly sum of two merks, to be paid at Cambuskenneth, was confirmed on 9 January 1231.[6] He was present at the important treaty between Alexander II. and Henry III., affecting the northern counties of England, on 25 September 1237, and he was a surety for the same in 1244.[7] In 1238 he had a charter from King Alexander II. of the earldom of Lennox, which his father Alwin held, except the Castle of Dumbarton, with the land of Murrach, with the whole part and the water and fishery of the River Leven, so far as the lands of Murrach extend, which the King retained in his own

[1] *The Lennox Book*, 401. [2] *Cart. de Levenax*, 12. [3] *Reg. Epis. Glasguensis*, i. 87. [4] *The Lennox Book*, ii. 401, 402. [5] *Reg. de Passelet*; some of these charters are of interest, but such are fully set forth in *The Lennox Book*. [6] *Reg. de Aberbrothoc*, 94, 95, 298. [7] *Cal. Doc. Scot.*, i. Nos. 1358, 1655.

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hands, with the Earl's consent.[1] The last dated charter granted by the Earl was on 12 March 1250-51, containing a general confirmation of his benefactions to the monastery of Paisley.[2] The date of this Earl's death is uncertain. His successor does not appear on record till about 1270. Earl Maldouen married a lady named Elizabeth, to whom he refers as his spouse in a charter of certain lands to the monks of Paisley, dated before 22 October 1228, when it was confirmed by King Alexander II.[3] She is said to have been a daughter of Walter, the third High Stewart, and this is not improbable, as he not unfrequently is a witness to Earl Maldouen's charters, and seems to have taken an interest in the family affairs. The Earl had issue, so far as on record, two sons:—

1. *Malcolm*, who is first named in a charter dated 1225, as son of the Earl, and again in a charter by Walter the High Stewart, dated before 16 November 1228, and others by him.[4] Later, he is described as son and heir. In 1239 he had a dispute with the Abbey of Paisley about the possession of certain lands belonging to their church of Kilpatrick. To settle the matter, Walter the High Stewart and the Earl arranged with the disputants that the Abbey should pay Malcolm sixty merks, while he quitclaimed the lands and confirmed the rights of the monks. Besides other writs in which Malcolm is named, the last transaction recorded of him was a dispute between him and Sir David Graham. Earl Maldouen had granted to the latter half a carucate, or about fifty acres, of Strathblane. At Whitsunday 1248, however, Malcolm objected to the grant, and trouble began. At Lammas, however, the influence of his father and other friends led to a settlement. Malcolm duly granted a quitclaim to Sir David of certain money, and agreed to give a charter of the lands. His sudden death a few days later prevented this, and Earl Maldouen himself made the necessary

[1] 28 July 1238 (not 1237, as Fraser inadvertently has it), *Cart. de Levenax*, 1, 2. [2] *Reg. de Passelet*, 171. [3] *Ibid.*, 158, 172. [4] *Ibid.*, 220, 401, 408; cf. 18, 24.

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grant, explaining the circumstances and the reason of delay.[1] So far as known Malcolm had only one son,

MALCOLM, who succeeded his grandfather as fourth Earl.

2. *Duncan*, who is named son of the Earl (Maldouen) in a charter by the latter to Stephen Blantyre, another witness being Walter the High Stewart.[2]

IV. MALCOLM, fourth Earl of Lennox. It is not known when he succeeded, but it seems probable that he was a minor at his father's death. He styles Earl Maldouen his grandfather in a charter by himself confirming that Earl's grant of Arrochar to Duncan, son of Gilchrist.[3] Earl Malcolm does not appear on record until about 1270, when he presided over the court which tried the claim made by the grandnieces of Dugald, the rector of Kilpatrick. The claimants, on receiving 140 merks from the Abbey of Paisley, renounced their rights in favour of that monastery.[4] On 6 July 1272 he received a grant of free forestry from King Alexander III., giving him exclusive rights of cutting timber or hunting over a considerable tract of land, though the boundaries stated are now not readily to be discovered.[5] Like his predecessors, he was liberal to the Church, and conferred lands and some special privileges and immunities on the monks of Paisley.[6] He took part also in public affairs, and was present in the Parliament of 1284, consenting to the right of the Princess Margaret to the Crown of Scotland. In 1290, at Birgham, he consented to her marriage with Prince Edward of England. He is said to have died between this and the year 1292,[7] but there are reasons for believing that he survived until several years later, and that it was he who, in 1292, supported the elder Bruce in his claim to the Crown.[8] He it was who had the long

[1] About August 1248; *The Lennox Book*, ii. 9-10; cf. 6-8. [2] *Cart. de Levenax*, 36. [3] Confirmed by King James I. on 13 February 1430-31; *Reg. Mag. Sig.* [4] *Reg. de Passelet*, 180-203. [5] *Cart. de Levenax*, 3. [6] *Reg. de Passelet*, 203*, 204*, 215, 216. [7] This opinion is founded on a charter quoted by Douglas, as granted in 1292 by Malcolm, Earl of Lennox, son and heir of Malcolm, Earl of Lennox. There is such a charter (*Cart. de Levenax*, 23), but it is not dated, and the witnesses point to, or at least admit of, a date much later than that assigned to it. [8] Rymer's *Fœdera*, ii. 555.

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controversy with the Abbot and monks of Paisley, who were summoned to the Earl's court on a question affecting their church lands of Kilpatrick. This they deeply resented, and appealed to the Bishop of Glasgow, who, in August 1294, directed the thunder of the Church and threats of excommunication against the recusant Earl, but, so far as appears, without much result, and the matter was still undecided in 1296.[1]

The Earl swore fealty to Edward I. on 14 March 1295-96, and again on 28 August 1296, and he had a letter from that King on 24 May 1297, requiring him to give obedience to Treasurer Cressingham during the King's absence in France.[2] This Earl is said to have been a friend of Sir William Wallace, and to have entertained him in the Castle of Faslane, but this rests only on the authority of Blind Harry. This Earl grants a good many charters, but they are all without date. He probably died in or about 1303. In 1305 Malcolm, Earl of Lennox, petitioned King Edward I. that the 100 merks paid for his relief might be allowed in his ransom and the balance discharged,[3] which suggests that he had then not long succeeded to the earldom, and was paying the usual casualty to the superior. Margaret, Countess of Lennox, in or about September 1303, wrote to the English King desiring aid against John Comyn of Badenoch, then in arms against Edward.[4] It is probable that, as she wrote in her own name, she was then a widow.

The name of the fourth Earl's wife was Margaret, but her parentage has not been ascertained. He had issue, so far as known, one son,

MALCOLM, who succeeded.

V. MALCOLM, fifth Earl of Lennox, who, as stated, appears to have succeeded his father some little time before 1305, perhaps in 1303. It was probably he who, on 11 March 1303-4, received from King Edward I. a summons to attend

[1] *Reg. de Passelet*, 201-204. [2] *Cal. Doc. Scot.*, ii. Nos. 730, 884, p. 196. His seal, attached to the homage roll, shows a saltire between four roses; legend, 'S. Malcolmi Com. de Levenax'; counterseal, a shield with same arms, placed between the attires of a stag's head cabossed, above it a cross pattée; legend, 'Sigillum Secreti.' [3] *Ibid.*, iv. 375. [4] *Ibid.*, ii. No. 1405. This letter is assigned in Stevenson's *Historical Documents*, ii. 486, to October 1304, but Comyn capitulated in February 1303-4.

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Parliament, being required at the same time to guard the fords of the river Forth. Shortly afterwards, on 1 April 1304, he was ordered to forbid his people going or carrying provisions to the garrison of Stirling Castle.[1] In or about the following year he made the application already cited as to the sum paid for relief of his lands. The King replied by postponing an answer until an 'extent' or valuation of the Earl's lands had been made,[2] a fact which corroborates the view that he had not long succeeded to the earldom.

The Earl must have joined the party of Bruce at an early date, as on 1 June 1306, even before the battle of Methven, King Edward I. commanded to enter in the roll of grants the earldom of Lennox for Sir John Menteith, who had already, in 1305, or before it, been appointed Sheriff, and on 15 June he directed the Chamberlain and Chancellor of Scotland to grant charter and give sasine of the earldom to Sir John, with the custody of the Castle of Dumbarton.[3] On 14 December 1307 Sir John Menteith is addressed by King Edward II. as Earl of Lennox, showing that he was then still in possession. These dates cover the period of the adventures of King Robert Bruce in the Lennox country in the company of the Earl and other adherents, and corroborate the narrative of Barbour that the Earl also was a fugitive at that date. He was, however, again taking part in affairs on 16 March 1308-9, when he joined with other nobles and barons in the letter from the Scots Estates to Philip of France.[4] Record is silent concerning him for some years later, but on 18 March 1314-15 King Robert bestowed upon the church of Luss, in the Earl's domains, the privilege of girth of sanctuary for three miles on every side, both on land and water.[5] On 27 October same year the King confirmed the Earl's grants to the monks of Paisley.[6] King Robert also, on 14 July 1321, renewed the former grants of the earldom of Lennox, with the gift of free forestry already cited, and further, for the Earl's good deeds and services, restored to his keeping the Castle of Dumbarton, with the office of Sheriffship of the

[1] *Cal. Doc. Scot.*, ii. Nos. 1471, 1489. [2] *Ibid.*, iv. 375. [3] *Acta Parl. Scot.*, i. 121; Palgrave's *Documents*, 305. According to Mr. Napier (*Memoirs of Napier of Merchiston*, 530) Sir John was appointed on 20 March 1303-4. [4] *Acta Parl. Scot.*, i. 459. [5] *The Lennox Book*, ii. 18. [6] *Reg. de Passelet*, 206-208.

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county. A special clause provided that if the Castle was reclaimed by the Crown from the Earl or his heirs against their will, a sum of five hundred merks sterling should be paid yearly to the Earl until he and his heirs again obtained possession.[1]

Earl Malcolm was one of those who affixed their seals to the letter of 6 April 1320, directed to Pope John XXII., affirming the independence of Scotland.[2] From that time till after the death of King Robert little or nothing is recorded of him, but like other patriotic Scotsmen he resented the domination by England which followed on Edward Baliol's victory at Dupplin. With the men of Lennox he followed Sir Archibald Douglas to the relief of the garrison of Berwick, and fell at the battle of Halidon Hill on 19 July 1333. The name of Earl Malcolm's wife has not been ascertained. He had issue, so far as known, three sons:—

1. DONALD, who succeeded.
2. *Murdoch*, who appears as a witness to charters by his brother Donald, Earl of Lennox.[3] He is said to have had the lands of Duntreath, but to have died without issue.
3. *Malcolm*, who is named in a charter by his father granting lands to Gilbert of Carrick.[4]

VI. DONALD, sixth Earl of Lennox, succeeded his father in 1333. Very little is recorded regarding him. He adhered to the cause of King David Bruce, and some of his lands in Lothian, including Easter Glencorse and others, were forfeited.[5] His name, however, chiefly occurs in connection with charters granted by him, but these need not be specially enumerated, the rather as they are all without date.[6] One charter may be noted, the granting to Maurice Buchanan the lands of Buchanan and Sallechy, giving him jurisdiction over life and limb on these lands, provided those condemned were put to death on the Earl's own gallows at the Cathir. The reddendo of the lands was one

[1] *The Lennox Book*, ii. 20-22. [2] *Acta Parl. Scot.*, i. 474. The seal bears a saltire between four roses; legend, 'S. Malcolmi Comitis de Levenax.' [3] *Cart. de Levenax*, 54, 55, 67, 94. [4] *Ibid.*, 43, 44. [5] *Cal. Doc. Scot.*, iii. 332, 334, 381. [6] Cf. Fraser's *Lennox Book*, ii. 24-29; *Cart. de Levenax*, 33, 51, 55, 66-68, 94.

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cheese from each house where cheese was made, to be furnished to the King's common army when occasion required,[1] and also six pennies of silver in name of blench farm, if asked, at Whitsunday and Martinmas. The Earl also had a charter from King David II., of date 2 May 1361, confirming the extensive grant of free forestry made by Alexander III.[2] Earl Donald was present in Parliament at Edinburgh 26 September 1357, and with other magnates appointed certain plenipotentiaries to treat as to the ransom of King David.[3] He died between May 1361 and November 1364, when his successor is styled Earl of Lennox.[4] His wife is not known, but he had issue one daughter,

MARGARET, a notice of whom follows.

VII. MARGARET, Countess of Lennox, succeeded, though she nowhere appears on record under that title, but is only referred to as the wife of her husband, Walter of Faslane, styled Lord of Lennox. They are said to have married about 1344,[5] but not improbably their union was later. He was, as already stated (page 330), a direct descendant of Aulay, Allan or Alwin, the fifth son of Alwin, second Earl of Lennox, and was the nearest heir-male of the earldom. Notwithstanding this, however, he is only once styled Earl of Lennox,[6] apparently shortly after Earl Donald's death, and is thereafter usually described as Lord of Lennox or Lord of the earldom of Lennox. He is named in record, apparently for the first time, in a charter of 1351, when a grant of lands which had been given to his father was continued to him,[7] with the office of Forester of the woods of Lennox and the office called 'Toosachiorschip,' or heritable bailiary of the earldom. Later, 1360-1364, he had other lands bestowed upon him by Earl Donald, and he appears very frequently as a witness to charters by that Earl.[8]

After his succession to Earl Donald the Lord of Lennox took part in public affairs, and was present in the Parliament of Scone when King Robert II. was crowned on 16

[1] *The Lennox Book*, ii. 35. [2] *Cart. de Levenax*, 2-4. [3] *Acta Parl. Scot.*, i. 516; *Cal. Doc. Scot.*, iii. No. 1651. Seal attached, a shield bearing a saltire between four roses. Legend, 'S. Dovenaldi Comitis de Levenax.' [4] *Reg. de Aberbrothoc*, pt. ii. 28. [5] Fraser, *Lennox Book*, i. 243. [6] *Reg. de Aberbrothoc*, pt. ii. 28. [7] *Cart. de Levenax*, 93. [8] *Ibid.*, 92, 94, *passim*.

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March 1370-71, and he swore fealty on the following day.[1] In August of 1373 he granted at his castle of Balloch a charter of the lands of Auchmarr to Walter, Laird of Buchanan. In 1384 he had a special charter from King Robert II. renewing to him a privilege conferred by King Robert Bruce upon Earl Malcolm, of holding the weaponshawings of the whole earldom, including the King's own lands there and of all other lands, whether held of the King in chief or of others. The King granted that neither the Earls of Lennox, nor any men abiding in the earldom, should appear before the King's sheriffs on their proving that the weaponshawing had taken place within the earldom. The King also granted the lands of Auchondonane and others in pure alms and regality, for rendering six merks sterling yearly to a chaplain praying for the King and his predecessors before the Holyrood altar in the parish church of Dumbarton.[2] The same King granted that Walter, Lord of the earldom of Lennox, for himself and his heirs, should forever enjoy all the liberties within the earldom which he or his ancestors, Earls of Lennox, had justly used in the time of the granter or his predecessors, Kings of Scotland. It was also declared that any man arrested in the earldom by the King's sheriffs for any action which might be determined in the Earl's courts, should be delivered to be tried by the Earl's officers.[3] In 1385 Walter and Margaret, his wife, resigned the whole earldom and lordship of Lennox within the sheriffdoms of Stirling and Dumbarton in the hands of King Robert II. at Stirling in favour of their son, Sir Duncan of Lennox, Knight, who received a charter of the same on 8 May 1385, followed by a similar resignation and regrant on 19 August 1388, when their liferent rights were specially reserved.[4] They were apparently both dead before 17 February 1391-92, when the marriage of their granddaughter was arranged.[5] They had issue:—

1. Sir Duncan, who succeeded.

[1] *Acta Parl. Scot.*, i. 546, *facsimile.* Fraser says that he was also one of those who sealed the Act of Settlement of the Crown upon the family of Stewart, 4 April 1373, but neither his name nor seal are in that writ (*Ibid.*, 549, *facsimile*). [2] *Cart. de Levenax*, 4, 5. [3] *Ibid.*, 6. [4] *Ibid.*, 6-8, 9, 10. [5] Walter of Faslane's seal shows a shield bearing a saltire between four roses. Legend, 'S. Valteri de Foslem' (Macdonald's *Armorial Seals*; Laing's *Scottish Seals*, ii. No. 355).

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2. *Alexander*, who appears as a witness, with his father and his brother Alan, in a charter about 1385 or a little later.[1] He is also named as a witness to several charters by his brother Earl Duncan between 1393 and 1396.[2] Nothing further is certainly known of him. He was claimed as an ancestor of Alexander Alan Lennox, an officer of militia, who laid claim to the title of Lennox in 1769, but the evidence for the alleged relationship is said to have been very doubtful.[3]
3. *Alan*, named with his father and brother Alexander in 1385, as stated. He also appears as a witness to a charter by his brother, Earl Duncan, about 1395.[4]
4. *Walter*, named, apparently once only, with his brothers Alexander and Alan in the writ of 1395 cited above.[5]

VIII. Sir Duncan, eighth Earl of Lennox, is said to have been born in 1345, as in one ms. of Bower's Fordun he is, in 1425, described as 'octogenarius.'[6] Little is recorded of him, the first notice of him being the dispensation for his marriage, granted on 30 March 1373, to be afterwards referred to.[7] The next reference to him appears to be in 1385, by which time he had received the honour of knighthood, and in that year, as already stated, his parents resigned the earldom and lordship of Lennox in his favour. King Robert ii. regranted them to be held to Duncan and his heirs of the King and his heirs for the usual services.[8] After this he appears as Earl of Lennox, and as such received from the same King in 1387 a grant of the weaponshawings of the earldom as formerly bestowed on his father.[9] Another resignation in his favour and regrant to him and his heirs were made on 19 August 1388,[10] while his father and mother were still alive.

The Earl was apparently in full possession of his earldom on 17 February 1391-92, when he entered into a contract of marriage between his eldest daughter Isabel and Sir Murdach Stewart, eldest son of Robert, Earl of Fife and Men-

[1] *Laing Charters*, No. 69. [2] *Cart. de Levenax*, 45, 60, 77, 79. [3] Lord's Journals, 15 March 1769; Riddell's *Inquiry in Scottish Peerages*, ii. 650-652. [4] *Cart. de Levenax*, 77. [5] *Ibid.* [6] Fordun à Goodall, ii. 483 *n.* [7] Theiner's *Vetera Monumenta*, 348, No. 700. [8] *Cart. de Levenax*, 7, 8. [9] *Ibid.*, 8. [10] *Ibid.*, 9, 10.

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teith. In terms of the provisions in this contract the Earl resigned his earldom in the hands of King Robert III., who, on 9 November 1392, regranted the same (1) to Earl Duncan and the heirs-male of his body lawfully begotten or to be begotten; whom failing, to (2) Murdach Stewart and Isabella, daughter of the Earl, the longer liver of them and the heirs between them lawfully to be begotten; whom failing, to (3) the lawful and nearest heirs of Earl Duncan whomsoever.[1] It is said that he renewed this entail in 1411, to the same series of heirs, but the corroborating evidence has not been found.[2]

This Earl seems to have taken little or no part in public affairs. His name occurs in no public record, though he was the granter of some charters dated between 1393 and 1398.[3] On 6 March 1400-1, Robert, Earl of Fife and Menteith, granted to him and to the heirs of the above entail the office of 'Coronator' of the whole earldom of Lennox, an office which had belonged to the Laird of Drummond.[4]

The only public act recorded of Earl Duncan is his meeting King James I. at Durham on his return to Scotland from captivity in England. King James was crowned at Scone on 21 May 1424, when Earl Duncan's son-in-law, Murdach, now Duke of Albany, placed him on the throne. Little more than a year later, King James wreaked vengeance on the house of Albany, and Earl Duncan, aged as he is said to have been, and blameless so far as record states, was also arrested, and was beheaded at Stirling with his son-in-law and grandsons, on 25 May 1425.[5] No motive for the fate of Earl Duncan has been stated by historians, and his death forms one of the unsolved mysteries of the past, all the more so as his estates were not forfeited, while those of Albany were annexed to the Crown. Earl Duncan married, sometime before 30 March 1373, Ellen or Helen Campbell, daughter of Archibald or Gillespie Campbell of Lochawe. She was the widow of 'John of the Isles,' apparently the eldest son of John, first Lord of the Isles, by his first marriage with Amie, daughter of Ruari of Bute. John of the Isles died about 1369, leaving

[1] *Cart. de Levenax*, 10, 11; *Reg. Mag. Sig.* [2] Douglas's *Peerage*, 1764.
[3] *Cart. de Levenax*, 44, 59, 65, 71-77. [4] *Ibid.*, 95. [5] Fordun à Goodall, ii. 483.

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as on Angus, who died a youth.[1] Between 1369 and 1373 his widow married Duncan, then styled son of Walter Macallan of Foslane. Her first marriage is referred to in a dispensation for which they applied on the ground that although they knew that John of the Isles, Helen's first husband, and Duncan were related in the third and fourth degrees of affinity, yet to pacify serious feuds and prevent murder and bloodshed among their kinsmen and friends, they had contracted marriage 'per verba de futuro,' and had issue, thus incurring the penalty of excommunication from which they petition to be relieved, and their marriage sanctioned.[2] Earl Duncan's wife survived him, and was alive in 1434, but died before 1447.[3] They had issue:—

1. ISABELLA, Countess of Lennox, of whom later.
2. *Elizabeth*, married, about 1406, to Sir John Stewart, son and heir of Sir Alexander Stewart of Darnley. They had issue, for whom see Stewart Earls and Dukes of Lennox. It has hitherto been assumed, for there was no definite proof, that Elizabeth was married to John Stewart in 1392, but it now appears that the dispensation for their marriage was not granted till 23 September 1406.[4] He was, however, her second husband, as she was a widow in 1406, but her first husband's surname has unfortunately been dropped in the dispensation, and he is only named Alexander. It does not appear that they had any issue.
3. *Margaret*,[5] married, about 25 July 1392, to Robert Menteith of Rusky, by whom she had issue. Her eldest granddaughter, *Agnes*, was married to John Haldane of Gleneagles, and he in her right disputed the succession to the earldom of Lennox with John Stewart, Lord Darnley, claiming that Margaret was the second daughter of Earl Duncan. On the other hand, her second granddaughter, *Elizabeth*, who married John Napier of Merchiston, claimed to be

[1] Mackenzie's *History of the Macdonalds*, 51, 55, 59. [2] Theiner, *Vetera Monumenta*, 348, No. 700. [3] *Exch. Rolls*, iv. 591; *The Lennox Book*, i. 258, 270. [4] *Reg. Avenion*, vol. 320, f. 518. [5] There is a doubt whether Elizabeth or Margaret was the elder. Elizabeth is named before Margaret in their sister Isabella's marriage-contract, while Margaret is described in a writ by her own granddaughter as the junior daughter of Earl Duncan.

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descended from the younger daughter of Earl Duncan, which supports the view that Margaret was younger than Elizabeth.[1] Robert Menteith of Rusky died before 23 April 1411, when a marriage was proposed between his widow and John Colquhoun of Luss, but the projected union did not take place. Margaret was still alive in 1451, but it is probable she was dead before May 1453.[2] Her representative at the present day, and of the ancient family of Haldane of Gleneagles, is James Brodrick Chinnery Haldane, Esq.[3]

Earl Duncan had also four natural sons:—

1. *Malcolm*; 2. *Thomas*, named with their father and brother Donald in a charter of 11 August 1423,[4] and there styled natural sons of the Earl. Of them nothing more is known.
3. *Donald*, named in same writ also as a natural son. He appears to have been legitimated in some way, as he is styled lawful son in a writ by his father Earl Duncan. He is said to have married Elizabeth Stewart, daughter and heiress of Sir John Stewart of Girthon and Cally, co. Kirkcudbright, and had issue. On 26 April 1768 William Lennox of Woodhead claimed the title of Lennox, as heir-male of Donald, and this claim was repeated and set forth in a case in 1813, for William's daughter Margaret Lennox of Woodhead, where the legitimacy of Donald is maintained,[5] notwithstanding the undoubted facts that he could not be the son of Earl Duncan's wife, who survived her husband, and also that had Donald been truly legitimate he would have been heir to the earldom in preference to his sister.
4. *Mr. William*, referred to as her brother by Countess Isabel in a charter, dated 15 February 1445-46.

IX. Isabella, Countess of Lennox, is first referred to in her marriage-contract with Sir Murdach Stewart on 17 February 1391-92, as already cited.[6] In the contract her

[1] *The Lennox Book*, i. 290, 291, 297. [2] *Ibid.*, i. 262, 271, 273. [3] See Burke's *Landed Gentry*, where a full pedigree of the family is given. [4] *The Lennox Book*, ii. 413. [5] Case of Margaret Lennox of Woodhead, 1813. [6] They had a dispensation for their marriage on 9 June 1392 (Vatican Register), where a certain Johanna is referred to as the former

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sisters Elizabeth and Margaret are referred to, and provision was made for their marriage, also at the disposal of the Earl of Fife.[1] In August 1423 she confirmed a charter granted by her father, and did so under the title of Isabella Stewart, Duchess of Albany, Countess of Fife and Menteith, and heiress of the earldom of Lennox.[2] When her husband and father were arrested by King James I. she also was seized, while at Doune in Menteith, carried to Dunbar, and afterwards imprisoned in Tantallon Castle. How long she remained there is uncertain, but at a later date she was permitted to assume and to enjoy the honours and earldom of Lennox, which, as stated, were not forfeited. She resided chiefly at her castle of Inchmurrin in Loch Lomond, where she granted various charters as Duchess of Albany and Countess of Lennox, but without the other titles of Fife and Menteith. One of these charters bound the grantee to provide stabling for her and her successors when they came to Drymen, and also lodging and fire for poor people as had been required by former Lords of Lennox. Another writ provided for masses on behalf of King Robert Bruce and the Countess's own immediate kin, including her mother. Besides other pious gifts, the Countess endowed, or proposed to endow, a collegiate church at Dumbarton. It was dedicated to the Virgin Mary, and to it the Countess granted land.[3] The Countess died between 1456 and 1458, probably about the later date.[4] Her issue by Murdach, Duke of Albany, have already been treated of under that title.

ARMS.—Argent, a saltire between four roses gules.

[J. A.]

wife of Murdach. She is unknown to historians, but she may have been a Douglas, and this may explain why James Douglas of Avondale is designed brother of Murdach, Duke of Albany (*Douglas Book*, i. 443, *note* 2), which has never been clearly understood. [1] *The Lennox Book*, ii. 43.
[2] *Reg. Mag. Sig.*, 28 August 1430. Her designation as heiress of the earldom in 1423 corroborates the view that her brother Donald was illegitimate.
[3] *The Lennox Book*, i. 268, 270-273, where the author erroneously states that the church was dedicated to St. Patrick. [4] *Ibid.*, 273, 274; *Exch. Rolls*, vi. 548. The rents of the earldom were paid to the Crown after May 1458. The seal of the Countess attached to a charter of 15 February 1445-46 in the Duntreath Charter-chest shows impaled arms. A saltire between four roses, impaled with the arms of Albany. Legend, 'Sigillū Isabelle ducisse Albanie et Comitisse de Levenax.'

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STEWART, DUKE OF LENNOX

SIR ALAN STEWART, second son of Sir John Stewart of Bonkyll,[1] accompanied Edward Bruce to Ireland in 1315, and next year was taken prisoner by the English, but was soon released, and continued to fight against them. He received from King Robert I. the lands of Dreghorn, in Ayrshire, and fell with his two brothers, James and John Stewart, at the battle of Halidonhill in 1333, having had issue:[2]—

1. *Sir John* Stewart of Cruikston and Darnley,[3] hostage for the Earl of Moray in 1340. In 1356, Robert, High Stewart of Scotland, granted a charter of his lands to him and his male issue, whom failing, to his brothers Walter and Alexander.[4] He died before 15 January 1369, having had two sons:—

   (1) *John*, hostage in July 1354-August 1357, and
   (2) *Robert*, hostage in October 1357, both of whom died without issue.

2. *Walter* Stewart, died before 1371 without male issue.[5]
3. Alexander, who eventually succeeded.
4. *Elizabeth*, married to John, son of Walter of Hamilton, who received a charter of the lands of Ballincreiff from her brother, Sir John Stewart of Cruikston.[6]

[1] *Vide* 'The Kings of Scotland,' *ante*, i. 13. [2] Andrew Stuart's *Genealogical History of the Stewarts*, 60-66. [3] *Ibid.*, 66-82. [4] *Ibid.*, 70. [5] *Ibid.*, 66-82. [6] *Ibid.*, 76; cf. *ante*, vol. iv. 342.

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Sir Alexander Stewart of Darnley succeeded on the failure of the senior lines.[1] He received a charter from King David II. of the barony of Cambusnethan 28 December 1345. Before 1371, in two charters granted by Robert Stewart, Stewart of Scotland, he is styled 'Dominus de Cruikston' and 'Dominus de Dernley,' this showing that he had succeeded to his brothers and nephew. He received a safe-conduct from King Edward III. of England 26 August 1374, and had a son:—

1. Sir Alexander, his heir.

Sir Alexander Stewart of Darnley, succeeded his father and received a charter from John, Earl of Carrick (afterwards King Robert III.), of the lands of Galston, which he acquired by marriage. That he was twice married seems certain. His second wife was Janet Keith, daughter of Sir William Keith of Galstoun, and widow of Sir David Hamilton of Cadzow,[2] and she survived him, granting a charter in 1406 in her pure widowhood,[3] but the dates show that she cannot have been mother of his elder children.[4] As Sir John Stewart of Darnley, first Lord of Aubigny, bore as his crest a bull's head, it has been suggested that his mother, the first wife of Sir Alexander, was a Turnbull, whose family also bore that congnisance, and this theory will be found adopted under the title of Galloway in the fourth volume of this work.[5] It is still a theory only, and cannot be regarded as strictly proved until more evidence is adduced. Sir Alexander had issue:—

1. John, his heir, first Lord of Aubigny.
2. *Sir William* Stewart. The difficult question of his affiliation is also dealt with in the article 'Galloway.' He was certainly a nephew of Sir John Turnbull of Minto, and if it can be shown that he was a brother of John, first Lord of Aubigny, this of course would help to prove who the latter's mother was. He was ancestor of the family of Stewart of Garlies, now Earls of Galloway, and his affiliation becomes of importance on account of the claim of his descendants

[1] Andrew Stuart, 77-82. [2] Cf. vol. iv. 345. [3] Andrew Stuart, 95. [4] *The Heir Male of the Stewarts*, No. 3, Stewart Society, 169-170. [5] Pp. 145-173.

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to the headship of the Stewarts on the extinction of the male line of the Earls of Lennox by the death of Henry, Cardinal York, 13 July 1807. It is not certainly known who his wife was, but her Christian name was apparently Isabel. This appears from a Commission, on 13 November 1400, by King Henry IV., to inquire into the report that William, Stewart of Scotland, Knight, and Isabel, his wife, sometime the wife of Richard Olyver, 'chivaler,' and Robert, Richard's son, have for no small time been adherents of the Scots, whereby all their lands and goods are forfeited, etc.[1] This writ may explain the cause which brought about Sir William's tragic fate after Homildon Hill.[2]

3. *Alexander* Stewart of Torbane and Galstoun, described as brother of Sir John Stewart of Darnley in a charter granted by the father in favour of John de Hamilton.
4. *Robert* Stewart of Newtoun, received from his father a charter of the lands of Newtoun of Westoun, in the shire of Lanark, to himself and his heirs-male, whom failing, to his brother James.[3]
5. *James.*
6. *Janet*, married, in 1391, to Thomas de Somerville of Carnwath, and received a charter of the lands of Camnethan, resigned in their favour by Alexander Stewart of Darnley, and Johanetta, his wife.[4]
7. *William* Stewart, who alone, from the dates, can be said to be a son of Janet Keith, as when he was killed at Orleans in 1429 he was only an 'escuyer,' and as such a very young man.

Sir John Stewart of Darnley was already a knight in 1386, and in 1419 entered the service of France under John Stewart, Earl of Buchan.[5] After the battle of Beaugé, in which the English were defeated and the Duke of Clarence was slain, he received a grant of the Seigneurie of Concressault in Berry; and later was granted the Seigneurie of Aubigny in Berry, by King Charles VII. of France, 26 March 1423.[6] He was taken prisoner at Crevant on 31 July 1423 by

[1] *Cal. Patent Rolls, Henry IV.*, 1399-1401, 415; cf. vol. iv. 148. [2] Andrew Stuart, 99 [3] *Ibid.*, 98. [4] *Ibid.*, 85. [5] *Stuarts of Aubigny*, 3-25. [6] *Ibid.*, 7, 8.

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the English, but was ransomed. After the defeat of Verneuil in 1424, the Scots in the French service were formed into a bodyguard of the King. In January 1426-27 the King granted him, by letters patent, the Comté of Évreux in Normandy. He continued his military sevices, and in February 1427-28 was rewarded by being permitted to quarter the Royal Arms of France with his paternal coat. He was, in 1428, envoy from the French King to James I. of Scotland to ask for succour, and to demand the hand of his daughter Margaret for the Dauphin. With his brother William he was killed at the siege of Orleans, 12 February 1428-29, and was buried in the Chapel of Notre Dame Blanche in the Cathedral there.

He married, in terms of a dispensation dated 23 September 1406 (see p. 341) the widowed Elizabeth, younger daughter and co-heiress of Duncan, eighth Earl of Lennox.[1] She died in France, in November 1429, ten months after her husband.[2] They had issue:—

1. Alan, who succeeded.
2. *John* Stewart, second Seigneur d'Aubigny and de Concressault, who received these lands from his brother with the consent of the French King.[3] He served under Charles VII. and Louis XI., and was created a Knight of the Order of St. Michael after its institution in 1469. He married, in 1446, Beatrice, daughter of Bérault, Seigneur d'Apchier, and had a son:—

   (1) *Bernard* Stewart, third Seigneur d'Aubigny, born about 1447.[4] A great general in the French service, described by Brantôme as 'grand chevalier sans réproche.' He became captain of the Scottish Archers of the Guard in 1493, and for the next forty years took part in the wars of Charles VIII., Louis XII., and Francis I. in Italy, and was Viceroy of Naples and Calabria. For his victory in 1502 over the Spaniards at Terranuova he was created Duca de Terranuova and Marchese de Girace. He visited England in 1508, and Scotland, where King James IV. hailed him as the 'Father of War.' He fell ill during his visit, and died at Corstorphine 15 June 1508.[5] He married, first, Guillemette de Boucard, by whom he had a daughter,

      i. *Guyonne*, married to Philippe de Brague, Seigneur de

[1] *Reg. Avenionensis*, vol. 320, f. 518; Fraser's *The Lennox*, i. 259 *et seq.* [2] *Stuarts of Aubigny*, 20. [3] *Ibid.*, 24-25. [4] *Ibid.*, 26-46. [5] *Treasurer's Accounts*, iv. 42.

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Luat. Her will was dated 1536, and she left a daughter.

He married, secondly, Anne, daughter of Guy de Maumont, Seigneur de Saint Quentin, by Jeanne, natural daughter of Jean II., Duc d'Alençon, and had a daughter,

ii. *Anne*, married to her kinsman Robert Stewart, Seigneur d'Aubigny, and died *s.p.* in 1427.

3. *Alexander* Stewart, who avenged the death of his eldest brother Sir Alan by killing Sir Thomas Boyd of Kilmarnock; died without male issue.[1]

Sir Alan Stewart of Darnley, eldest son. He was in the French service until 1437,[2] although he surrendered his French fiefs to his younger brother, and returned to Scotland in 1437.[3] He was treacherously slain in 1439 by Sir Thomas Boyd. He married Catherine, daughter of Sir William Seton of Seton. She married, secondly, Herbert, first Lord Maxwell of Carlaverock,[4] whom she survived until 1468, but died before 1478.[5] He had issue:—

1. Sir John, who succeeded.
2. *Alexander* Stewart of Galstoun, received from his brother John, Lord Darnley, the lands of Dregairne or Dreghorn, in the barony of Cunninghame, 13 May 1450.[6] He is stated by Duncan Stewart[7] to have been ancestor of Colonel William Stewart, father of Frederick, Lord Pittenweem.

I. Sir John Stewart of Darnley, eldest son, first Lord Darnley, and first Earl of Lennox of the Stewart line. He granted a charter to his brother Alexander Stewart of the lands of Dreghorn on 13 May 1450, and also a charter of the lands of Galstoun, which was confirmed 27 June 1452.[8] He obtained a grant, under the title of John Stewart, Lord Darnley, from King James III., of the lands of Torboltoun and others, in favour of himself and Margaret Montgomerie, his spouse, 20 July 1461, and his creation as Lord of Parliament was probably made at the coronation of James III. at Kelso in August 1460. He was made Governor of the Castle of Rothesay, 4 February 1465, and was served heir

[1] Fraser's *The Lennox*, i. 261. [2] *Stuarts of Aubigny*, 21-23. [3] *The Lennox*, ii. 65. [4] *Book of Carlaverock*, i. 139. [5] *Ibid.* [6] *Reg. Mag. Sig.*, 16 May. [7] *Hist. of the Family of Stewart*, 152. [8] *The Lennox*, i. 312-329.

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to his grandfather, Sir John Stewart of Darnley in 1466, and on 23 July 1473 was served heir to his great-grandfather Duncan, Earl of Lennox, in the principal messuage, and the half of the lands of the earldom of Lennox, and of the superiority thereof, and thereupon assumed the title of EARL OF LENNOX,[1] being so designated in a charter under the Great Seal 6 August 1473.[2] Through the opposition of another co-heir, John de Haldane, the brieve of service was revoked, 2 January 1474-75, and although Lord Darnley sat as Earl of Lennox in the Parliament held on 20 November, and was so designed in a commission of Lieutenancy from the King on December 1475,[3] he did not reassume the title for thirteen years. In 1482 he joined the plot against Cochrane, the favourite of King James III., but not against the King, and obtained a remission 19 October 1482. In the first Parliament of King James IV., 6 October 1488, he again sat as Earl of Lennox, the liferenter of the lands, Lord Avandale, having died shortly before, and from that date retained and transmitted the title without opposition.[4] He and his eldest son were made Keepers of Dumbarton Castle 10 October, but were with his younger sons soon engaged in rebellion. On the fall of Dumbarton they received pardons, 6 and 12 February 1489-90, from the King and Parliament, and one from Pope Alexander VI., 30 May 1493. John, Earl of Lennox, died after 31 August and before 11 September 1495. He had married Margaret (contract dated at Houstoun, 15 May 1438), eldest daughter of Alexander Montgomerie, Lord of Ardrossan, neither being then of lawful age,[5] and had issue:—

1. MATTHEW, his heir.
2. *William*, Seigneur d'Oizon and de Grey in France. He served in the first Italian War under Bernard Stewart in 1495, and was afterwards captain of the whole company of Scots men-at-arms. He appears to have died childless before 1503. In 1508 his brother Robert Stuart was next heir to Aubigny.[6]
3. *Alexander*, died before 1508.[7]
4. *Robert* Stewart, fourth Seigneur d'Aubigny, born about

[1] Fraser's *The Lennox*, 296, 298. [2] *Reg. Mag. Sig.* [3] *The Lennox*, 301. [4] *Ibid.*, 305. [5] *Ibid.*, 326, 327. [6] *Stuarts of Aubigny*, 48-49. [7] *Ibid.*

1470. He took service under Bernard Stewart d'Aubigny in the French army, attaining the highest military rank, that of Maréchal de France. He fought in the Italian Wars under Louis XII. and Francis I.; was taken prisoner at Pavia, and took part in the campaign in Provence in 1536-38. He died in 1543, without issue, having married, first, Anne, daughter and heiress of his cousin Bernard Stewart, Seigneur d'Aubigny and St. Quentin. She died *s.p.* before 1527, and he married, secondly, Jacqueline, daughter and co-heiress of François de la Queulle,[1] without issue.

5. *John*, of Henriestoun, Seigneur d'Oizon on the death of his brother William. He entered the French service and distinguished himself in the Italian Wars, saving the life of Bernard Stewart at the battle of Terina. He became 'Premier Homme d'Armes' of France 1505-8. He died 1512, having married, first, Maria Semple.[2] He married, secondly, Anne, daughter and heiress of Alexander de Monypenny, Seigneur de Concressault (she was again married, first, to Jean de Montferrand; secondly, to Antoine de la Roche Chandre[3]).
6. *Elizabeth*, married[4] to Archibald, second Earl of Argyll.
7. *Marion*, married (contract 8 May 1472) to Robert Crichton of Kinnoul, son of the first Lord Crichton of Sanquhar.[5]
8. *Janet*, married to Ninian, third Lord Ross of Halkhead.[6]
9. *Elizabeth*, married, about 1480, to Sir John Colquhoun of Luss.[7]

He had a natural son, Alan Stewart of Cardonald,[8] who married Marion Stewart.[9] His descendant Margaret, daughter of James Stewart of Cardonald, married Sir John Stewart of Minto, and was mother of Walter, Lord Blantyre. (*See that title.*)

[1] *Stuarts of Aubigny*, 47-65. [2] Before 1486; *Reg. Mag. Sig.*, 18 March. [3] *Stuarts of Aubigny*, 50. [4] Vol. i. 336. [5] *The Lennox*, 328-329; vol. iii. of this work, 223. [6] *Ibid.* [7] *The Chiefs of Colquhoun*, i. 72, 73. [8] *Reg. Mag. Sig.*, 15 January 1492-93. [9] *Ibid.*, 1 April 1499.

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II. MATTHEW, second Earl of Lennox,[1] succeeded his father. He obtained a confirmation from King James IV., 18 January 1511, of the charter granted by Robert, the Stewart of Scotland, of the lands of Cruikiston and others to Sir John Stewart of Darnley, Knight, in 1361, and on 25 January 1511-12 a charter of the earldom of Lennox. He fell at the battle of Flodden 9 September 1513.[2] He married first, after 1471, and before 13 June 1480, Margaret, daughter of John, Lord Lyle;[3] secondly (contract, dated at the College of Bothwell, 9 April 1494), Elizabeth, daughter of James, second Lord Hamilton, afterwards Earl of Arran, and niece of King James III., and this marriage was ratified by papal dispensation dated at Rome 15 April and 31 August 1495. She survived her husband, being alive as late as 1530 at least. They had issue:—

1. JOHN, who succeeded.
2. *Mungo*, lieutenant in the Scots Guards in France 1521-53.[4] He received a charter on 11 May 1517 from John, Earl of Lennox, his brother-german, of the lands of Dormantside and others.[5]
3. *Margaret*, contracted to William Cunningham, Master of Glencairn, son of Cuthbert, Earl of Glencairn, and a dispensation obtained for their marriage 15 December 1507. This marriage did not take place, and she was married, but apparently without the sanction of the Church, before 12 March 1508-9 to John, Lord Fleming,[6] which marriage was dissolved before 26 October 1515, at which date she is styled in a charter 'olim reputata sponsa' of John, Lord Fleming.[7] She was married again, before 1 May 1528, to Alexander Douglas of Mains.[8]
4. *Elizabeth*, married to Sir Hugh Campbell of Loudoun.[9]
5. *Agnes*, married to William Edmonstone of Duntreath.[10]

III. JOHN, third Earl of Lennox, succeeded his father.[11] On 15 April 1506 he had been contracted to Margaret Graham, daughter of William, first Earl of Montrose, but the marriage was never accomplished. He was served

[1] *The Lennox*, i. 330-338. [2] *Ibid.*, 337. [3] *Ibid.*, 330. [4] *Stuarts of Aubigny*, 66. [5] *The Lennox*, i. 337. [6] See a curious charter, 12 March 1508-9; *Reg. Mag. Sig.* [7] *Reg. Mag. Sig.* [8] *The Lennox*, i. 338; *Reg. Mag. Sig.* [9] *The Lennox.* [10] *Ibid.* [11] *Ibid.*, 339-363.

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heir to his father in 1513-15. He joined the party of his uncle Arran against the Regent Albany, by whom he was imprisoned, but whom he eventually supported, and played a prominent part in the turbulent times during the minority of James v., to whom he was one of the guardians, and received from the King, 26 June 1526, a bond that the King should use his counsel specially and in preference to all others. He was slain, it is said, by Sir James Hamilton of Finnart, 4 September 1526, at Manuel, when attempting to rescue the King from the power of Angus.[1] He married (contract dated 19 January 1511) Elizabeth Stewart, daughter of John, Earl of Atholl, for which marriage a dispensation was obtained on 29 January 1511,[2] and had issue:—

1. Matthew, who succeeded.
2. Robert, afterwards Earl of Lennox (created in 1578) and then Earl of March. (*See* p. 355.)
3. *John* Stewart, Lord d'Aubigny, who was adopted by the Maréchal d'Aubigny as his heir, and became one of the Scots Guard. He is described as 'a good stout gentleman, but not very wise.'[3] He was, on his brother's account, imprisoned in the Bastille about 1544, and not released until 1547, when he fought in Italy under the Maréchal de Brissac. He was taken prisoner at Saint Quentin, but was set at liberty on being ransomed. He espoused the claim of Mary, Queen of Scots, to the throne of England, and was visited in France by Henry, Lord Darnley. Before 1560 he, in pique, resigned his company of men-at-arms,[4] but did not lose Court favour, and received a company of 100 men-at-arms in 1565, when his nephew Darnley had married the Queen of Scots.[5] He died 31 May 1567, having married about 1542 Anne de la Queulle, half-sister of the Maréchale d'Aubigny, fourth daughter and co-heir of François, Seigneur de la Queulle, and his second wife Anne, daughter of Henri de Rohan, Seigneur d'Espinay, who survived him. Her will is dated 4 December 1579.[6] Issue one son:—

   Esme, afterwards eighth Earl and first Duke of Lennox.

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[1] *The Lennox*, i. 360. [2] *Ibid.*, 340-342. [3] *Cal. State Papers* (Foreign) 1559, p. 213. [4] *Stuarts d'Aubigny*, 76. [5] *Ibid.*, 77. [6] *The Lennox*, ii. 301-321.

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4. *Helenor*, who bore a son[1] to King James v., and was married, first, to William, Earl of Erroll; and secondly, in August 1548, to John, sixth Earl of Sutherland.[2]

IV. Matthew, fourth Earl of Lennox, succeeded his father.[3] He was born at Dumbarton Castle 21 September 1516, and was contracted to Christian Montgomerie, eldest daughter of John, Master of Eglinton, 16 February 1519, but the marriage was never proceeded with. He entered the service of France in 1532, and returned in 1543, having some claim to the Regency if the legitimacy of Arran was doubtful, and was involved in the intrigues during the infancy of Queen Mary, first on the side of France, and then on that of England. He went to England in 1543, and remained there after his marriage to the King's niece, with the result that he was pronounced guilty of treason in 1545 and his estates forfeited. He took part in the English attack on Scotland under the Protector Somerset, and ravaged the West Marches and Annandale. In the reign of Elizabeth he and his wife were imprisoned for trafficking with papists, but in 1564 he and his son were allowed to return to Scotland, and he was rehabilitated, and his honours and estates restored on 1 October 1565, while his crowning glory came when his son, Lord Darnley, married the Queen of Scots. On Darnley's assassination he pursued Bothwell as the murderer, but getting no satisfaction, returned to England, where he remained until Queen Mary was a prisoner in Lochleven. He then returned to Scotland, and on 12 July 1570 was elected Regent of the kingdom during the minority of his grandson King James vi. He was killed at Stirling 4 September 1571, during an attack made by a body of men under the Earl of Huntly and Lord Claud Hamilton on the Parliament sitting there. He married at St. James's Palace, London, 6 July 1544, Margaret Douglas, only daughter and heiress of Archibald, sixth Earl of Angus, and of Margaret Tudor, Queen-Dowager of James iv. of Scotland and sister of King Henry viii. of England. She was born at Harbottle

[1] Adam, Prior of Charterhouse. [2] *The Sutherland Book*, i. 107, 108.
[3] *The Lennox*, i. 364-418.

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8 October 1515,[1] and being near the succession to the English Crown was imprisoned on many occasions connected with her sons' marriages by Queen Elizabeth. She died at Hackney, 9 March 1577-78, and was buried in Westminster Abbey. They had issue four sons and four daughters, but of these only two survived infancy:—

1. *Henry*, Lord Darnley,[2] eldest son and heir, born at Temple Newsome, 7 December 1545. In early youth he visited France, and was well received, and on the death of Francis II. of France he was at once proposed by one faction as a suitable husband for his widowed cousin Mary, Queen of Scots. He was married to her 29 July 1565, at Holyroodhouse, having been created, 15 May 1565, with remainder to the heirs of his body, Earl of Rosse, Lord of Ardmanach,[3] and on 20 July 1565, Duke of Albany, with the same remainder,[4] and received on 28 July, by proclamation of the Queen, the title of King. As is well known the King and Queen's married happiness was short-lived, and he was assassinated at Kirk of Field 9 February 1567, having had one son,

    (1) KING JAMES VI. of Scotland and I. of England, who succeeded his grandfather as fifth Earl of Lennox, but conveyed the title to his uncle Charles.

2. CHARLES, created Earl of Lennox.

VI. CHARLES, sixth Earl of Lennox, younger son of the fourth Earl, born in 1555. He had five charters, dated 18 April 1572, conveying to him and to his heirs the earldom of Lennox,[5] but did not long enjoy his title, dying at London in his twenty-first year, 1576, and was buried in Westminster Abbey. He married, in 1574, Elizabeth, daughter of Sir William Cavendish, and sister of William, first Earl of Devonshire, and had an only child,

1. *Arabella*, who as the 'Lady Arabella Stuart,' near heir to the throne, was the centre of intrigues in the latter years of Elizabeth and the early part of the reign of James I. She was born about 1577 in England. In July 1610 she privately married William

[1] *The Lennox*, i. 423-466. [2] *Ibid.*, 467-530. [3] *Reg. Mag. Sig.* [4] *Ibid.* [5] *Reg. Mag. Sig.*

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Seymour, grandson of Edward Seymour, first Earl of Hertford, and a possible heir to the English throne, a marriage which gave great offence to King James. She was imprisoned, escaped in 1611, but was taken prisoner at sea, and placed in the Tower, where she died on 25, and was buried in Westminster Abbey 27, September 1615.[1] Her husband became in 1660 Duke of Somerset, and died 24 October in the same year.

VII. ROBERT STEWART, seventh Earl of Lennox, younger son of John, Earl of Lennox, born about 1517. He was intended for the priesthood, and was Provost of Dumbarton College and Canon of Canterbury, besides being elected Bishop of Caithness 1542. He was forfeited with his brother, and was abroad for twenty-two years, in which time he never obtained priest's orders, and on returning 'turned with the times and became Protestant, but still bore the title of Bishop of Caithness, and enjoyed the revenue till his death.'[2] He obtained also from his brother a gift of the Priory of St. Andrews, and was by his grand nephew, King James VI., created EARL OF LENNOX and LORD DARNLEY 16 June 1578,[3] with remainder to the heirs-male of his body, but on the rising into favour of Esme, Seigneur d'Aubigny, his nephew, he resigned the title in his favour into the King's hands, and received in exchange the title of EARL OF MARCH, 5 March 1579-80. He died at St. Andrews 29 March 1586, being described as 'simple and of lyttle action or accomte.'[4] He married, 6 January 1578-79,[5] Elizabeth, daughter of John, fourth Earl of Atholl, and widow of Hugh, sixth Lord Lovat. She obtained a decree of nullity of their marriage 19 May 1581,[6] and married again, on 6 July 1581, Captain James Stewart, created Earl of Arran, the favourite of King James VI.[7] Robert Stewart is said, however, to have had a natural daughter,

Margaret, married to Robert Algeo of Easter Walkinshaw, co. Renfrew.[8]

[1] Burials, Westminster, 112; Cooper's *Life and Letters of Lady Arabella Stuart.* [2] Keith and Russell, *Scottish Bishops*, 215. [3] *Reg. Mag. Sig.* [4] *Estimate of the Scottish Nobility*, 33. [5] *Edin. Com. Decreets*, vol. 10, 19 May 1581; cf. Charter of 11 December 1578, confirmed 25 May 1579, *Reg. Mag. Sig.* [6] *Ibid.* [7] Spottiswoode's *History*, ii. 280. [8] Crawfurd's *Peerage*, 292.

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VIII. Esme, eighth Earl of Lennox, Seigneur d'Aubigny, nephew of the last, born about 1542,[1] was sent for from France by King James vi., and landing at Leith, 8 September 1579, was well received by the boy King, created EARL OF LENNOX 5 March 1579-80,[2] and the highest honours and emoluments were heaped upon him. He was created, 5 August 1581, DUKE OF LENNOX, EARL OF DARNLEY, LORD D'AUBIGNY, TARBOLTOUN AND DALKEITH,[3] and a charter was granted in his favour, 5 June 1581, of the lordship and regality of Dalkeith, Aberdour, etc. He also received, 13 December 1581, a charter of the earldom of Lennox, erected into the Dukedom of Lennox, to be held by Esme, Duke of Lennox, and the heirs-male of his body, whom failing, to return to the King.[4] He formally embraced the Protestant religion,[5] but continued secretly to work in the interest of Mary, Queen of Scots. The success of the Raid of Ruthven forced King James vi. to sign an order for his departure in 1582, and he was received by Queen Elizabeth, who 'charged him roundly with such matters as she thought culpable.' He retired to France, and, to the great grief of James vi., died there 26 May 1583. He married, in 1572, Katherine de Balsac, youngest daughter of Guillaume de Balsac, Seigneur d'Entragues, who survived him until at least 1632. Issue:—

1. Ludovick, second Duke of Lennox.
2. Esme, third Duke of Lennox.
3. *Henrietta*, born in France 1573, married, 21 July 1588, to George, first Marquess of Huntly; died in France 2 September 1642, and was buried at Lyons.
4. *Marie*, married, as second wife, 7 December 1592, John Erskine, Earl of Mar, and died 11 August 1644.
5. *Gabrielle*, who was contracted, 10-13 April 1598, with the consent of King James vi., to Hugh, Earl of Eglinton,[6] but was never married. She became a nun at Glatigny in Berry.

IX. Ludovick, second Duke of Lennox, who succeeded his father. He was born 29 September 1574, and was by order of King James vi. brought over from France, and

[1] *Stuarts d'Aubigny*, 85-90. [2] *Reg. Mag. Sig.* [3] *P. C. Reg.*, iii. 412, 413.
[4] *Reg. Mag. Sig.* [5] Calderwood, iii. 468. [6] *Earls of Eglinton*, ii. 237-239.

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invested in all the honours and estates which had been granted to his father. On 31 July 1583 he received a charter[1] of the earldom of Lennox, which was in the King's hands by reason of the revocation of the infeftments made to the last Duke, and which was erected into a dukedom in favour of himself and his heirs-male whatsoever. He had gifts of the Priory of St Andrews 21 August and 4 September 1586.[2] He chose curators 10 January 1588-89; his next of kin being, on the mother's side, his mother and her brothers, Mons. François Balsac de Traiguys and Mons. Balsac de Cleirmonth; on the father's side, Hugh Campbell of Terrinzean, Thomas Stewart of Galston, and Matthew Stewart of Barscube.[3] He was ambassador to King Henry IV. of France in 1601, and on King James VI.'s accession to the throne of England was summoned to attend the King to England in 1603. In 1607 he was High Commissioner to the Scottish Parliament. He was created BARON SETTRINGTON, co. York, EARL OF RICHMOND, 6 October 1613, EARL OF NEWCASTLE-UPON-TYNE, and DUKE OF RICHMOND, in the Peerage of England, 17 May 1623,[4] and held many appointments at Court. 'His death,' says Calderwood, 'was dolorous both to English and Scottish. He was weill liked of for his courtesie, meekness and liberalitie to his servants and followers.'[5] He died suddenly in London 16 February 1623-24, and was buried in Westminster Abbey. He married, first, 20 April 1591,[6] Sophia Ruthven, third daughter of William, first Earl of Gowrie, who died, before 1592, without issue; secondly, in August 1598,[7] Jean, eldest daughter of Sir Matthew Campbell of Loudoun, and sister of Hew, Lord of Loudoun,[8] relict of Robert Montgomerie of Giffen, styled Master of Eglinton,[9] with whom he lived unhappily, and who died before 1612.[10] He married, thirdly, in 1621,[11] Frances Howard, daughter of Thomas, Viscount Howard of Bindon, and widow successively of Henry Prannell of London and of Edward Seymour, Earl of Hertford. She died 8 October 1639, aged sixty-three, and was buried in Westminster Abbey.[12]

[1] *Reg. Mag. Sig.* [2] *Reg. Sec. Sig.*, liv. 84, 86. [3] *Acts and Decreets*, cxvii. 194. [4] *Complete Peerage*, v. 66. [5] Calderwood, vii. 595. [6] *Ibid.*, v. 128. [7] *Edin. Com. Decreets*, 6 October 1607. [8] *P. C. Reg.*, x. 521. [9] Fraser's *Montgomeries, Earls of Eglinton*, i. 47. [10] *P. C. Reg.*, ix. 470. [11] *Cal. State Papers (Domestic)*, 257. [12] Burials, Westminster, 133.

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By his second wife he had a son who died young, and a daughter:—

1. *Elizabeth*. Her mother was in 1607 bound under £10,000 to give her up to her father's care,[1] but she died young.

He had also a natural son:—

Sir John Stewart of Methven, who was Constable and Keeper of Dumbarton in 1620.[2]

X. Esme, third Duke of Lennox,[3] succeeded his brother in his Scottish titles only. He did homage to the King of France for Aubigny 8 April 1600, and was brought to Scotland in 1603. He was created, 7 June 1619, EARL OF MARCH and LORD CLIFTON OF LEIGHTON-BROMSWOLD in England and K.G. He died at Kirkby, 30 July 1624, of spotted fever, and was buried in Westminster Abbey. He married in 1607 Catherine, daughter and heiress of Gervase, Lord Clifton of Leighton-Bromswold, who was married, secondly, about 1632, to James, second Earl of Abercorn,[4] and died in Scotland, being buried 17 September 1637,[5] and left issue:—

1. James, fourth Duke of Lennox.
2. *Henry*, baptized at the Chapel Royal, Whitehall, 2 April 1616. He succeeded to Aubigny, and died at Venice in 1632 and was buried in the church of San Giovanni e Paulo.[6]
3. *Francis*, died young.[7]
4. *George*, ninth Seigneur d'Aubigny,[8] born 17 July 1618. He raised a band of 300 Horse, all gentlemen of fortune, and joining the standard of Charles I., fell at Edgehill, 23 October 1642, and was buried in Christ Church Cathedral, Oxford. He married (secretly) in 1638 Katherine Howard, daughter of Theophilus, Earl of Suffolk (who was married, secondly, to James Livingstone, Lord Newburgh). She died in exile at the Hague in 1650, having had issue:—

(1) Charles, sixth Duke of Lennox.
(2) *Katherine*, baptized in St. Martin's-in-the-Fields, 5 December

[1] *P. C. Reg.*, vii. 696. [2] *Ibid.*, xii. 208ª. [3] *Stuarts d'Aubigny*, 97-99. [4] Vol. i. 49. [5] *Ibid.* [6] *Stuarts d'Aubigny*, 99-102. [7] Wood's Douglas, ii. 101; he is not mentioned in the *Stuarts of Aubigny*. [8] *Stuarts d'Aubigny*, 103-106.

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1640, was married, first, in 1664, to Henry O'Brien, Lord Ibracan, son and heir-apparent of Henry, seventh Earl of Thomond, who died 1 December 1678; and on 4 December 1678, as 'Domina O'Brien et Baronissa de Clifton,' she was served heir to her brother the Duke of Lennox. She was married, secondly, to Sir Joseph Williamson, Knight, who was buried at Westminster 14 October 1701, and she was, as his relict, buried there 11 November 1702.[1] By her first marriage she had a daughter, Katherine O'Brien, wife of Edward, Earl of Clarendon, who claimed the title of Baroness Clifton of Leighton-Bromswold, as heir-general of her great-grandmother, Katherine, Duchess of Lennox, which claim was allowed by the House of Peers in February 1674. Her only daughter, Theodosia Hyde, was married, 24 August 1713, to John Bligh, Esq., who was created Earl of Darnley in the kingdom of Ireland 7 March 1722, and was ancestress of the Earls of Darnley and Barons Clifton of Newton-Bromswold.

5. *Ludovic*,[2] tenth Seigneur d'Aubigny, born at March House, Drury Lane, 14 October 1619. He became a priest, and was Grand Almoner to the Queen-Dowager Henrietta Maria. He was nominated a Cardinal, but died shortly after the arrival of the courier bearing the Cardinal's hat, at Paris, 3 November 1665. He was buried in the Church of the Chartreux, Paris.

6. *John*, born 23 October 1621, and becoming a General of Horse in the service of King Charles I., was killed at Alresford, 29 March 1644, and was buried in the Cathedral of Christ Church, Oxford.

7. *Bernard*, born about 1623; was designated Earl of Lichfield and Baron Stuart of Newbury, Berks, in 1644-45, but died before any warrant passed the Seals.[3] He commanded the King's Troop, and was killed at the battle of Rowtonheath, near Chester, 26 September 1645. He died unmarried.

8. *Elizabeth*, born 17 July 1610; married, March 1626, to Henry, Earl of Arundel, and died 23 January 1673-74.

9. *Anna*, born 23 November 1614; married, 16 August 1630, to Archibald, Earl of Angus, and died 16 August 1646,[4] with issue.

10. *Frances*, born 19 March 1617; married, 10 June 1632,

[1] Burials, Westminster. [2] *Stuarts d'Aubigny*, 107-110. [3] *Complete Peerage*, v. 74. [4] Fraser's *Douglas Book*, ii. 441.

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to Jerome, Earl of Portland. She died 1694, being buried, 24 March 1693-94, in Westminster Abbey.

XI. JAMES, fourth Duke of Lennox, succeeded his father. Born at Blackfriars, London, 6 April 1612; godson of King James VI.;[1] K.G.; Grandee of Spain of the First Class, June 1632; created DUKE OF RICHMOND 8 August 1641,[2] with remainder to the heirs-male of his body, whom failing, to his brothers and their heirs-male.[3] He spent his fortune in the service of King Charles I., and even, it is said, offered to suffer in his stead. He died 30 March 1655 'of a quartan ague that held him about a yeare, contracted it was supposed from a continued consumptive griefe of the King and his affaires.'[4] He married, at Lambeth,[5] 3 August 1637, Mary Villiers, daughter of George, first Duke of Buckingham, relict of Charles, Lord Herbert, and by her (who was baptized 30 March 1622, and, having married, thirdly, Colonel Thomas Howard, younger brother of Charles, first Earl of Carlisle, died November 1685[6]) had issue:—

1. ESME, who succeeded.
2. *Mary*, married, September 1664, Richard Butler, Earl of Arran, eldest son of James, Duke of Ormonde, and dying issueless in July 1667, in her eighteenth year, was buried in Kilkenny.

XII. ESME, fifth Duke of Lennox, succeeded his father in 1655, and died at Paris 10 August 1660, aged eleven, and was buried in Westminster Abbey on the 4th of the following September, a hundred and fifty coaches attending his funeral.

XIII. CHARLES, sixth Duke of Lennox, son of George Stewart, ninth Seigneur d'Aubigny, born 7 March 1639,[7] succeeded his cousin. He was created LORD STUART OF NEWBURY AND EARL OF LITCHFIELD 10 December 1645;[8] K.G. 1661. He did homage by proxy to King Louis XIV. of France for Aubigny, 11 March 1670. He, as Gramont says, 'notwithstanding his birth, made but an indifferent figure at Court, and the King respected him still

[1] Wood's Douglas, ii. 102, and *Stuarts d'Aubigny*, 99. [2] *Complete Peerage*, vi. 359. [3] *Lords' Journals*, 1829, 502. [4] Wardlaw MS., 411. [5] *Complete Peerage*, vi. 360. [6] *Ibid.* [7] *Stuarts d'Aubigny*, 111-113. [8] *Complete Peerage*, vi. 360.

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less than his courtiers did.'[1] He was sent, in May 1672, as Ambassador to Denmark, and was drowned at Elsinore[2] 12 December 1672. He died without surviving issue, so the dukedom of Lennox devolved upon King Charles II. as next male-cognate, and he was accordingly served heir 6 July 1680.[3] The last Duke, who was buried in Westminster Abbey 20 September 1673, married, first, Elizabeth, daughter of Richard Rogers, of Brianstone, co. Dorset, widow of Charles, Lord Mansfield, eldest son of William, Duke of Newcastle, who died, aged eighteen, 21 April 1661, and was buried in Westminster Abbey, where her daughter was also buried 28 March 1662;[4] secondly, 31 March 1662, Margaret, daughter of Lawrence Banaster, son of Sir Robert Banaster of Papenham, Bucks, widow of William Lewes of the Vann, who was buried in Westminster 6 January 1666-67; thirdly, in March 1667, to the great displeasure of King Charles II., Frances Stewart, eldest daughter of Walter Stewart, third son of Walter, first Lord Blantyre (*see that title*), who, from her beauty, was known as 'La Belle Stuart.' She obtained a grant of the whole Lennox estates from the King for life 22 December 1673, and died issueless 15 October 1702, being buried at Westminster Abbey.[5]

Creations.—First assumption of the title Earl of Lennox, about 1473: Duke of Lennox, Earl of Darnley, Lord d'Aubigny, Tarboltoun and Dalkeith, 5 August 1581, in the Peerage of Scotland. Earl of Richmond and Baron Settrington, 6 October 1613; Earl of Newcastle-upon-Tyne and Duke of Richmond, 17 May 1623; Earl of March and Lord Clifton of Leighton-Bromswold, 7 June 1619; Duke of Richmond, 8 August 1641; Lord Stuart of Newbury and Earl of Litchfield 20 December 1645, all in the Peerage of England.

Arms (recorded in the Lyon Register with the following prefatory note: 'Albeit by the death of the late Duke of Lennox the title and fortune be fallen in his Majestie's hands and the title conferred on another, yet that the arms

[1] *Memoirs*, ii. 30. [2] *Cal. State Papers (Domestic)*, 428. [3] *Retours, Dumbarton*. [4] Burials, Westminster, 154-156. [5] *Ibid.*, 250.

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of such ane noble familie may not be forgotten, the same is here insert in its proper place as follows'):—Quarterly: 1st and 4th, Azure, three fleurs-de-lys within a bordure engrailed or, for *Aubigny*; 2nd and 3rd, Or, a fess chequy azure and argent within a bordure gules charged with eight buckles of the first, for *Stewart*; over all on an escutcheon of pretence argent, a saltire, 'some will have it engrailed,'[1] between four roses gules, for *Lennox*.

CREST (from Sir Robert Forman's [Lyon Office] MS.).—Issuing out of a ducal coronet a bull's head sable breathing fire.

SUPPORTERS.—Two wolves proper, armed and langued gules.

MOTTO.—*Avand Darnley*.

[A. F. S.]

[1] It was not till Sir Robert Forman's (Lyon) time that the saltire began mistakenly to be engrailed. *Cf.* Stodart's *Scottish Arms*, ii. 97.

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LENNOX, DUKE OF LENNOX

CHARLES LENNOX, natural son of King Charles II. and Louise Renée de Perrancoet de Keroualle in France (who was created Duchess of Portsmouth, Countess of Fareham, and Baroness Petersfield, in the Peerage of England, on 19 August 1673, and Duchess d'Aubigny in France 14 April 1674), was born in London 29 July 1672, and was created DUKE OF RICHMOND, in Yorkshire, EARL OF MARCH and BARON OF SETTRINGTON, in the Peerage of England, on 9 August 1675, and DUKE OF LENNOX, EARL OF DARNLEY, and BARON TARBOLTON, in the Peerage of Scotland, on 9 September 1675. He had a charter under the Great Seal, on 20 August 1680, of the lands and dukedom of the Lennox, which lands he sold to the Duke of Montrose in 1702. He was installed a Knight of the Garter 20 April 1681, Governor of Dumbarton Castle 1681, and died at Goodwood 27 May 1723. He married, 10 January 1693, Anne, second daughter of Francis, Lord Brudenell, and relict of Henry, second Lord Belasyse of Worlaby; she died 9 December 1722, and had issue:—

1. CHARLES, second Duke.
2. *Louisa*, born 25 December 1694; married to James, third Earl of Berkeley, K.G., and died of smallpox 15 January 1717, leaving issue.

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3. *Ann*, born 3 June 1703, married, at Caversham, 21 February 1733, William Anne, second Earl of Albemarle; died 20 October 1789, and had issue.

II. CHARLES, second Duke of Lennox, born at London 29 May 1701; nominated Knight of the Garter 26 May 1726; officiated as High Constable at the coronation of King George II. 11 October 1727; succeeded, on death of his grandmother, as Duke of Aubigny in France, on 14 November 1734; was appointed Master of the Horse 8, and sworn of the Privy Council 9, January 1735; brigadier-general in the Army 2 July 1739; major-general 1 June 1742; was present at the battle of Dettingen 27 June 1743; served in Rebellion of 1745-46; appointed lieutenant-general 6 June 1745; was one of the Lords-Justices for administration of the Government during the absence of the King on the Continent 12 May 1740, and again in 1745, 1748, and 1750; and died 8 August 1750. He married, at the Hague, 4 December 1719, Sarah, elder daughter and co-heiress of William, Earl Cadogan, one of the Ladies of the Bedchamber to Queen Caroline; she was born 18 September 1706, died 25 August 1751, and had issue:—

1. A son, born and died 3 September 1724.
2. *Charles*, Earl of March, born 9 September 1730; buried in St. Martin's Fields 6 November 1730.
3. CHARLES, third Duke.
4. *George Henry*, born 27 November 1737; M.P. Chichester 1761, Sussex 1767-90; lieutenant-general in the Army 29 August 1777; Constable of the Tower of London 17 February 1784; general 15 October 1793; died at Stoke Park 25 March 1805. Married, at Dumfries, 25 December 1758, Louisa, eldest daughter of William Henry, fourth Marquess of Lothian; she died in 1830, and had issue:—

(1) CHARLES, fourth Duke.

(2) *Mary Louisa*, born at Whitehall 2 November 1760; died in July 1843.

(3) *Emily Charlotte*, born in Portugal in December 1763; married, 23 August 1784, to the Hon. Sir George Cranfield Berkeley, G.C.B., and died 19 October 1832, leaving issue.

(4) *Georgina*, born at Goodwood 1765; married, 1 April 1787, to Henry, third Earl Bathurst, and died 20 January 1841.

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5. *Georgina Carolina*, born 28 March 1723; created, 5 May 1762, Baroness Holland of Holland; married, 2 May 1744, to Henry Fox, afterwards Lord Holland, and died 24 June 1774.
6. *Louisa Margaret*, born at London 15 November 1725; died at Paris 28 May 1728; buried in Westminster Abbey.
7. *Anne*, born 1726; died December 1727.
8. *Emily Mary*, born 6 October 1731; married, first, 7 February 1747, to James, first Duke of Leinster, and had seventeen children; and, secondly, 1774, to William Ogilvie, her sons' tutor, and had two daughters; and died 27 March 1814.
9. *Margaret*, born 16 November 1739; died of smallpox at Goodwood 10 January 1741.
10. *Louisa Augusta*, born 20 November 1743; married, at Carton, 30 December 1758, to the Right Hon. Thomas Conolly of Castletown, and died *s.p.*
11. *Sarah*, born 14 February 1745; married, first, 2 June 1762, to Sir Thomas Charles Bunbury, Bart., by whom she was divorced 14 May 1776; and, secondly, 25 August 1781, to Hon. George Napier.
12. *Cecilia*, born 28 February 1750; died, unmarried, at Paris, 21 November 1769.

III. Charles, third Duke of Lennox, born at London 22 February 1735; an officer in the Army; served under the Duke of Marlborough in 1758; was at the battle of Minden 1 August 1759; appointed major-general 9 March 1761; lieutenant-general 30 April 1770; general 20 November 1782; field-marshal 30 July 1796; carried the Sceptre with the Dove at the coronation of King George III. 22 September 1761; was appointed Ambassador-Extraordinary to France in 1765; Principal Secretary of State 23 May 1766; resigned 2 August 1766; Master-General of the Ordnance 1782-83, 1783-95; Knight of the Garter 19 April 1782; and died at Goodwood 29 December 1806. He married, at Warwick Street, Westminster, 1 April 1757, Mary, youngest daughter and co-heiress of Charles, fourth Earl of Elgin and third Earl of Ailesbury; she died, without issue, at Goodwood, 8 November 1796.

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IV. Charles, fourth Duke of Lennox, nephew of preceding, born in Scotland 9 September 1764; lieutenant-colonel 35th Foot; served in the West Indies; colonel in the Army 28 January 1795; major-general 1 January 1798; lieutenant-general 1 January 1805; M.P. Sussex 1790-1806; appointed a Knight of the Garter 26 March 1812; was Lord-Lieutenant of Ireland 1807 to 1813; Governor-General of Canada 9 May 1818; and died near Richmond, Montreal, 28 August 1819, from the effects of a bite from a rabid fox. He married, at Gordon Castle 9 September 1789, Charlotte, daughter of Alexander, fourth Duke of Gordon; she was born 20 September 1768, succeeded her brother in the Gordon estates, and died 5 May 1842. Issue:—

1. Charles, fifth Duke.
2. *John George*, born at Phœnix Park, Dublin, 3 October 1794, lieutenant-colonel in the Army; M.P. Chichester 1819-31, Sussex 1831-32, West Sussex 1832-41; died 10 November 1873. He married, 29 June 1818, Louisa Frederica, fourth daughter of the Hon. John Rodney; she died 12 January 1865, and had issue.
3. *Henry Adam*, born at Richmond House, London, 6 September 1797, drowned by falling overboard from H.M.S. *Blake* when sailing from Port Mahon, 25 February 1812.
4. *William Pitt*, born at Winestead, Yorkshire, 20 September 1799, M.P. King's Lynn 1831-35; died 18 February 1881. He married, first, 7 May 1824, Mary Anne, eldest daughter of George Paton, master in the High School, Edinburgh, which marriage was dissolved by Act of Parliament 1834; secondly, in 1854, Ellen, daughter of John Smith; she died 3 November 1859; and, thirdly, 17 November 1863, Maria Jane, eldest daughter of the Rev. Capel Molyneux, incumbent of St. Paul's, Onslow Square, and had issue by his first and second marriages.
5. *Frederick*, born in London 24 January 1801; captain 7th Foot; died 25 October 1829.
6. *Sussex*, born in Harley Street, London, 11 July 1802; Postmaster of Jamaica; died 12 April 1874; married, 3 April 1828, Mary Margaret Lawless, daughter of

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Valentine Brown, second Lord Cloncurry, and divorced wife of Baron de Robeck, and had issue.

7. *Arthur* born in London 2 October 1806; M.P. Chichester 1831-46, Yarmouth 1847, Master of the Ordnance and Lord of the Treasury 1844; died 15 January 1864. He married, 1 July 1835, Adelaide Constance, daughter of Colonel John Campbell of Shawfield; she died 14 August 1888, and had issue.
8. *Mary*, born at Richmond House, London, 15 August 1790; married, 11 March 1820, to Sir Charles Augustus Fitzroy, K.C.B., and died 7 December 1847.
9. *Sarah*, born at Dublin 22 August 1792; married, 9 October 1815, to Sir Peregrine Maitland, G.C.B., and died 8 September 1873, and had issue.
10. *Georgiana*, born at Molecomb, Sussex, 27 September 1795; married, 7 June 1824, to William, Lord de Ros, and died 15 December 1891.
11. *Jane*, born at Winestead, in Yorkshire, 5 September 1798; married, 20 July 1822, to Lawrence Peel of Kemptown, Brighton, son of Sir Robert Peel, Bart., and died 27 March 1861.
12. *Louisa Maddelena*, born in London 2 October 1803; married, 18 April 1825, to Right Hon. William Frederick Fownes Tighe of Woodstock, co. Kilkenny, and died *s.p.* 2 March 1900.
13. *Charlotte*, born in London 4 December 1804; married, 4 December 1823, to Maurice Frederick, first Lord Fitzhardinge, G.C.B., and died 20 August 1833.
14. *Sophia Georgiana*, born at Viceregal Lodge, Phœnix Park, Dublin, 21 July 1809; married, 7 August 1838, to Lord Thomas Cecil, and died 17 January 1902.

V. Charles, fifth Duke of Lennox, born at Richmond House, London, 3 August 1791; M.P. Chichester 1812-19, assumed the name of Gordon by Royal licence on the death of his maternal uncle, George, fifth Duke of Gordon, 9 August 1836, was lieutenant-colonel in the Army, served in the Peninsular War, was present at Waterloo, was appointed Knight of the Garter 13 May 1829, was Lord-Lieutenant and Custos Rotulorum of Sussex, A.D.C. to Queen Victoria, and hereditary Constable of the Castle of

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Inverness. He died at Portland Place, Marylebone, 21 October 1860, having married, at St. James's, Westminster, 10 April 1817, Caroline, eldest daughter of Henry William, Marquess of Anglesey, K.G.; she died at Portland Place, 12 March 1874, and had issue:—

1. CHARLES HENRY, sixth Duke.
2. *Fitzroy George Charles*, born 11 June 1820; an officer in the Army; lost on the steamer *President* March 1841.
3. *Henry Charles George*, born 2 November 1821; M.P. Chichester 1846-85, Lord of the Treasury 1 March 1858, Secretary to the Admiralty 1868, First Commissioner of Works 1874-76; died 29 August 1886. He married, 25 January 1883, Amelia Susannah, widow of John White of Ardarroch, Dumbartonshire; she died 6 February 1903.
4. *Alexander Francis Charles*, born 14 June 1825; captain Royal Horse Guards, M.P. Shoreham 1849-59; died 22 January 1892; married, 6 August 1863, Emily Frances, second daughter and co-heiress of Colonel Charles Towneley of Towneley, Lancashire; she died 31 December 1892, and had issue.
5. *George Charles*, born 22 October 1829; lieutenant Royal Horse Guards, M.P. Lymington 1860-74, and died 27 February 1877; married, 3 August 1875, Minnie Augusta, daughter of W. H. Palmer of Portland Place and Boyne House, Tunbridge Wells, and widow of Major Edwin Adolphus Cook, 11th Hussars, but had no issue.
6. *Caroline Amelia*, born 18 June 1819; married, 4 October 1849, to John George, fifth Earl of Bessborough, and died *s.p.* 30 April 1890.
7. *Sarah Georgiana*, born 17 March 1823; died 6 January 1831.
8. *Augusta Katherine*, born 14 January 1827; married, 27 November 1851, to Field-Marshal H.H. Prince Edward of Saxe-Weimar, K.P., G.C.B., and died *s.p.* 3 April 1904.
9. *Lucy Frances*, born 3 June 1828; died, unmarried, 16 April 1843.
10. *Amelia Frederica*, born 4 December 1830; died, unmarried, 20 October 1841.

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11. *Cecilia Catherine*, born 13 April 1838; married, 17 November 1859, to George, fourth Earl of Lucan, and has issue.

VI. CHARLES HENRY, sixth Duke of Lennox, born at Richmond House, London, 27 February 1818, B.A., and Hon. D.C.L. of University of Oxford, Hon. LL.D. Cambridge, M.P. West Sussex 1841-60, President of the Poor Law Board 1859, President of the Board of Trade 1867-68, Lord President of the Council 1874-80, President of the Committee of Council on Education, and Secretary for Scotland 1885-86, Knight of the Garter 6 February 1867, was created DUKE OF GORDON and EARL OF KINRARA 13 January 1876, Chancellor of the University of Aberdeen 30 June 1836, Lord-Lieutenant of Banff, and an elder brother of Trinity House; died 27 September 1903. He married, at St. George's, Hanover Square, 28 November 1843, Frances Harriett, eldest daughter of Algernon Frederick Greville, Bath King of Arms; she died at Goodwood 8 March 1887, and had issue:—

1. CHARLES HENRY, seventh Duke.
2. *Algernon Charles*, born 19 September 1847, late colonel Grenadier Guards, and A.D.C. to the Duke of Cambridge 1883-95, served in South Africa 1900-1; married, 31 August 1886, Blanche, second daughter and co-heiress of Colonel the Hon. Charles Henry Maynard, only son of Henry, last Viscount Maynard, and has issue.
3. *Francis Charles*, born 30 July 1849; captain Scots Guards; died, unmarried, 1 January 1886.
4. *Walter Charles*, born 29 July 1865; M.P. Chichester 1888-94, Treasurer of H.M. Household 1891-92, married, 6 July 1889, Alice Elizabeth, elder daughter of the Hon. George Henry Ogilvie-Grant of Grant, and has issue.
5. *Caroline Elizabeth*, born 12 October 1844.
6. *Florence Augusta*, born 21 June 1851; died, unmarried, 21 July 1895.

VII. CHARLES HENRY GORDON, seventh Duke of Lennox, born at Portland Place, London, 27 December 1845;

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M.P. West Sussex 1869-85, South-West Sussex 1885-88, late captain in the Grenadier Guards, A.D.C. since 1896, served in South Africa 1901-2, Knight of the Garter 18 November 1905, G.C.V.O. 9 November 1904, Lord-Lieutenant of the counties of Banff 1903, and Elgin 1902; married, first, at St. Paul's, Knightsbridge, 10 November 1868, Amy Mary, daughter of Percy Ricardo of Bramley Park, Surrey; she died 23 August 1879; and, secondly, at Chapel Royal, Savoy, 3 July 1882, Isabel Sophie, daughter of William George Craven; she died 20 November 1887. Issue by first marriage:—

1. Charles Henry, Earl of March, Darnley, and Kinrara, born 30 December 1870; captain Irish Guards, A.D.C. to Field-Marshal Lord Roberts, served in South Africa 1899-1900, M.V.O. 1905, D.S.O. 1900; married, at St. Paul's, Knightsbridge, 8 June 1893, Hilda Madeleine, eldest surviving daughter of Henry Arthur Brassey of Preston Hall, Kent, and has issue:—

   (1) *Charles Henry*, born 15 August, died 6 September 1895.
   (2) *Charles Henry*, Lord Settrington, born 26 January 1899.
   (3) *Frederick Charles*, born 5 February 1904.
   (4) *Amy Gwendoline*, born 5 May 1894.
   (5) *Doris Hilda*, born 6 September 1896.

2. *Esme Charles*, born 10 February 1875; captain Scots Guards, served in South Africa 1900-2, and in Southern Nigeria 1903-4.
3. *Bernard Charles*, born 1 May 1875, captain Grenadier Guards, served in South Africa 1900.
4. *Evelyn Amy*, born 23 April 1872; married, 4 January 1896, to Sir John Richard Geers Cotterell, Baronet, and has issue.
5. *Violet Mary*, born 15 January 1874; married, 30 June 1894, to Henry Leonard Campbell Brassey of Preston Hall, Kent, and has issue.

Issue by second marriage:—

6. *Muriel Beatrice*, born 3 October 1884; married, 30 April 1904, to William Malbisse Beckwith, Coldstream Guards, only son of Captain Henry John Beckwith of Milliehope Park, and has issue.
7. *Helen Magdalen*, born 13 December 1886.

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Creations.—Duke of Richmond, Earl of March, and Baron Settrington in the Peerage of England, 9 August 1675; Duke of Lennox, Earl of Darnley, and Baron Tarbolton in the Peerage of Scotland, 9 September 1675; Duke of Gordon and Earl of Kinrara in the Peerage of the United Kingdom, 13 January 1876.

Arms (recorded in Lyon Register).—Quarterly: 1st and 4th grandquarters counterquartered, 1st and 4th, azure, three fleurs-de-lys or; 2nd and 3rd, gules, three lions passant guardant in pale or: 2nd, or, a lion rampant within a double tressure flowered and counterflowered gules: 3rd, azure, a harp or, stringed argent, all within a bordure compony argent and gules, charged with eight roses of the second barbed and seeded proper, over all an escutcheon of pretence gules charged with three buckles or, for the dukedom of *Aubigny*: 2nd grandquarter, argent, a saltire engrailed between four roses gules barbed and seeded proper, for the dukedom of *Lennox*: 3rd grandquarter counterquartered, 1st, azure, three boars' heads couped or, for *Gordon*; 2nd, or, three lions' heads erased gules, for *Badenoch*; 3rd, or, three crescents within a double tressure flowered and counterflowered gules, for *Seton*; 4th, azure, three cinquefoils argent, for *Fraser*.

Crests.—1st, a bull's head erased sable, horned or, for *Lennox*; 2nd, on a chapeaux gules turned up ermine, a lion statant guardant or, crowned with a ducal coronet gules, and gorged with a collar compony argent and gules, charged with eight roses of the second barbed and seeded proper, for *Richmond*; 3rd, out of a ducal coronet or, a stag's head and neck affrontee proper attired with ten tynes of the first, for *Gordon*.

Mottoes.—*Avant Darnlie.—En la rose je fleuris.—Bydand.*

Supporters.—Dexter, an unicorn argent, armed, crined and unguled or; sinister, an antelope, armed argent and unguled or, each supporter being gorged with a collar company as before.

[F. J. G.]

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LESLIE, EARL OF LEVEN

ALEXANDER LESLIE, afterwards Earl of Leven, was, according to all accounts, the illegitimate son of George Leslie, Captain of the Castle of Blair in Atholl.[1] George Leslie appears as Bailie of Atholl in the Register of the Privy Council in 1590,[2] and as Captain of Blair Athol on 9 February 1597-98, when he was denounced a rebel for being concerned along with the Earl and Countess of Atholl in a raid against Walter Leslie of Moircleuch, who was taken prisoner and shut up in the Castle:[3] and there are other references to him down to 1612. It is said, apparently on the authority of Macfarlane, that George Leslie was the second son of George Leslie, first Laird of Drummuir, who was the third son of Alexander Leslie, first of Kininvie, who was the second son of George Leslie, first of New Leslie, who was the second son of Sir William Leslie, fourth Baron of Balquhain. Macfarlane's account of his parentage, however, is very confused, and it may be pointed out that there was a George Leslie, Captain of Blair, in 1549, when a precept of sasine was directed to him for the infeftment of James Bannatyne in certain lands in Perthshire.[4] This

[1] Fraser's *The Melvilles*, i. 387; *Hist. Records of the Family of Leslie*, iii. 355; Macfarlane's *Gen. Coll.*, ii. 432. [2] *P. C. Reg.*, iv. 541. [3] *Ibid.*, v. 441. [4] *Reg. Mag. Sig.*, 1 August 1549.

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George Leslie could not have been the person of that name who held the same offices in 1612, and who was undoubtedly Alexander Leslie's father, as the latter had a legitimate daughter, Margaret, who was married for the first time in 1643, and again after the death of her first husband in 1647, and to whom her half-brother, the Earl of Leven, gave a tocher of 13,000 merks. But the two Georges may have been father and son.

Who the mother of Alexander Leslie was is not known. Macfarlane says, 'he was gotten in Mr. Leonard Lessly's house at Coupar, when he was Commendator of Cupar,'[1] and also that he was born there. His mother is styled 'a wench in Rannoch' by a contemporary diarist.[2] It is said that his father, after the death of his wife, married the Earl's mother in order to legitimise him, but this statement, founded on an obscurely worded sentence in Macfarlane, lacks confirmation. It is much more likely, seeing he had, as above stated, a half-sister married in 1643, that he was born before his father's marriage than after it. He was indeed a Peer by the time his sister was married, which points to the fact that he was very much older than she was. He had also a niece, a daughter of his half-brother Colonel George Leslie, who was married in 1642, and to whom likewise he gave a tocher. The exact date of the Earl's birth is not known, but as he was over eighty years of age when he died in 1661, he must have been born in or before 1580. After a very desultory and imperfect education, he early betook himself to the profession of arms. His military career was a brilliant one, but it has been so often narrated that it would be out of place in a work like this to do more than briefly notice its principal features. He went abroad before 1605, and entered the Dutch service. Three years later he joined the army of Gustavus Adolphus, where he distinguished himself highly, being soon promoted to the rank of Lieutenant-General, and ultimately attaining to that of Field-Marshal. He had a brilliant record in the Thirty Years' War, and his successful defence of Stralsund won him much credit; for this he was presented with a gold medal by Gustavus. He was knighted 23 September

[1] *Gen. Coll.*, ii. 432. [2] Journal of David, second Earl of Wemyss, MS. in Wemyss Castle.

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1626, when Gustavus received the Garter from Charles I. at Denschau.[1] On 6 November 1632 he was at the battle of Lutzen, when Gustavus was killed. After further stalwart service to the Protestant cause, he received, in September 1637, a pension of 800 rix-dollars in consideration of his services in the Swedish army. Next year, however, he was constrained to go to his native country, and he obtained letters of demission from Queen Christina of Sweden 14 August 1638. On his arrival in Scotland he threw himself heartily into the work of organising and superintending the forces of the Covenant. It was not long before his efforts made themselves felt. In 1639 he captured the castle of Edinburgh without the loss of a man, and in August of that year he led a force of 30,000 men to Duns Law, where he met the army of the King. The result of the negotiations which then took place was that Leslie resigned his command, which was unwillingly accepted. But on 3 June 1640 he received from a meeting of the Convention of Estates a renewal of his commission as Lord-General of all the Scottish forces.[2] In August he set out for England with a large army, and entered Newcastle about the end of that month. He lay there for a year, pending the completion of a treaty of peace, and actually entertained the King when he passed north on his way to Edinburgh to hold the Scottish Parliament. He himself followed very shortly, disbanding his army at Hirsel Law, and attending the King personally at Edinburgh on 28 August. By patent, dated at Holyrood 11 October 1641, Sir Alexander Leslie was created EARL OF LEVEN and LORD BALGONIE, with remainder to the heirs-male of his body; he was installed as a Peer, with great ceremony, in Parliament, on 6 November, and a still more substantial recognition of his services was made in the shape of a gift of a hundred thousand merks. He was also appointed Captain of Edinburgh Castle, with the revenues pertaining to that office.

In 1642 Leven was engaged with the Scottish troops in the Irish campaign, but was back in Edinburgh the following year, attending the Convention of Estates. In January 1644 he took command of the Scottish army on the Borders,

[1] *Ruthven Correspondence*, p. ix. [2] *Acta Parl. Scot.*, v. 285.

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now leagued with the English Parliamentary forces in opposition to those of the King. He led 20,000 foot and 2000 horse across the Tweed on the ice, the river being frozen hard. For the next few months the Scottish army were not concerned in any important engagement, but they were at the battle of Marston Moor in July, and on 19 October Leven carried the town of Newcastle by storm. For his conduct in the war he was presented with a jewel by the English Parliament.

The surrender of King Charles to Leven at Newark on 5 May 1646, his subsequent surrender to the English and the return of the Scottish army across the Tweed in January 1647, are incidents which, however important in themselves, can only be stated here in the briefest way. Leven now seems to have relinquished the command of the army in the field to David Leslie, Lord Newark, and associated himself with acting on the Committee of Estates for counsel and advising.[1] Parliament expressed its intention of presenting the Earl with a jewel of the value of 10,000 merks, but the circumstances of the time prevented this ever being done; it is doubtful, too, if the English jewel was ever presented, and the only testimonial of this kind which he is known to have received was one presented to him by Gustavus Adolphus in Germany. In his will the Earl directed that it should be preserved as an heirloom.[2]

Leven attended the Parliament of 1648 and voted with Argyll against the 'Engagement' for the rescue of the King. The engagers, however, carried their point, and the Earl was relieved of his command as General, Parliament, however, marking their sense of approbation of his career by voting him £1000 sterling, though whether this was an annual pension or merely a grant of the specific sum is not clear from the terms of the Act.[3] After the defeat of the Scottish army at Preston and the beginning of the Cromwellian rule in Scotland, Leven again undertook the command of the attenuated forces which were permitted to be maintained in that country. It was owing to his exertions and strenuous representations to an unwilling

[1] *Acta Parl. Scot.*, vi. pt. ii. 672, 710, 725. [2] Fraser's *The Melvilles*, iii. 175. [3] *Acta Parl. Scot.*, vi. pt. ii. 66, 88.

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Parliament, that the castle of Edinburgh was to some extent repaired, but all his representations were not attended to. The ultimate issue of affairs might not perhaps have been different had the castle been fortified and provisioned as recommended by Leven, but his son-in-law, Walter Dundas, to whom he had given the fortress in charge, was not able to hold it long against Cromwell's victorious troops, fresh from their victory at Dunbar. Leven himself had been at that disastrous battle, and though the army was in command of his kinsman and namesake David Leslie, afterwards Lord Newark, he afterwards assumed, it is stated, all responsibility for the result.[1]

In 1651 the English Parliamentary troops under the command of Monck were marching north, and on 28 August they captured at Alyth the members of the Committee of Estates, including the Earl of Leven. They were all sent to the Tower of London, but Leven, at all events, does not seem to have been very rigorously treated. On 1 October his son-in-law, Ralph Delaval of Seaton Delaval, was granted leave to visit him, and two days later it was agreed, on the motion of Cromwell himself, to give him the liberty of the Tower; and shortly after, on Delaval giving security to the amount of £20,000, he was liberated on parole that he would reside at Seaton Delaval, or within twelve miles round. There he stayed till 1654, with the exception of a visit to London by special leave in 1652, when he petitioned for the recovery of his estates. In 1654 he obtained, by the intercession of Christina, Queen of Sweden, his complete liberty, and on 25 May returned to Scotland.[2]

Not much is known as to the private life of the Earl, but like all Scotsmen he took the earliest opportunity of acquiring land in his native country. He had an estate in Sweden granted to him by Gustavus Adolphus in 1630, but the grant was recalled by the Swedish Government in 1655, and was probably never entered on; he had also, it is said, two earldoms in Germany, but if they were ever granted, they were never enjoyed. On 13 June 1635 he acquired the barony of Balgonie, and shortly after the lands of Boglillie, both in Fife.[3] On 6 July 1635 he had a charter under the Great

[1] Fraser's *The Melvilles*, i. 428. [2] Lamont's *Diary*, 72. [3] Melville Charter-chest.

Seal to himself, his wife, and their eldest son Colonel Alexander Leslie, of the lands of East Nisbet in Berwickshire, which together with Balgonie, Boglillie and other lands were united in one barony of Balgonie.[1] In a charter of novodamus of the same lands on 18 November 1651 the reddendo is stated to be 'unam albam pinnam seu plumam, *lie quhyt pannasche or quhyt feather.*'

In 1642 Lord Leven and his only son Lord Balgonie executed an entail of his estates, settling them on Lord Balgonie's only son Alexander and the heirs-male of his body, whom failing, on certain children of his daughters, whom failing, on his half-brother Captain John Leslie of Edrom, whom failing, on the second son of the Rothes family, whom failing, on the heirs-male succeeding to the earldom itself.

On 3 June 1650 the Earl and his wife had a charter of the lands and barony of Inchmartin in the parish of Errol, which he had purchased for 40,000 merks from Lord Deskford.[2] It was erected into a new barony under the name of Insch-Leslie, and was entailed on the children of his daughters. The Ogilvies re-acquired the estate in 1720, and the name was again altered to Inchmartin.

As might be expected of a man so identified as Lord Leven was with the popular cause, and of one who had done his country so much service, he was the recipient of many civic honours—Edinburgh, Glasgow, Perth, and Culross all enrolled him on their list of burgesses, and when he was in Ireland in 1642 Dublin did him a similar honour.

The Earl of Leven died at Balgonie 4, and was buried in his own aisle at Markinch Church 19, April 1661. His will, dated 15 October 1656, is a short document, leaving all his estates to his grandson Lord Balgonie. Lord Leven married fairly early in life, as his son served with him under the King of Sweden, Anna, daughter of David Renton of Billie in the county of Berwick. She died at Inch-Leslie 23 June 1651, and was buried, 26 July, at Markinch.[3] One English writer states that the Earl married, secondly, Frances, daughter of Sir John Ferrers of Tamworth, widow of Sir John Packington of Westwood, co.

[1] *Reg. Mag. Sig.* [2] *Ibid.* [3] Lamont's *Diary*, 31.

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Worcester,[1] but no evidence has been found to corroborate this statement. By Agnes Renton he had issue:—

1. *Gustavus*, died young.
2. *Alexander*, Lord Balgonie, who served with his father on the Continent, and became a colonel in the Swedish service. He is described as fiar of the estates in the charter of 1635 above mentioned, but from some cause, perhaps from being facile or having some mental weakness, he granted, 27 December 1643, a bond debarring himself from borrowing money or doing anything to dilapidate the estates without consent of his father and his brothers-in-law.[2] He died in 1645, his will being dated 12 January 1644. He married, about 1636, Margaret Leslie, second daughter of John, fifth Earl of Rothes, who survived him, and was married, secondly (contract 26 July 1646) to Francis, second Earl of Buccleuch, who died 1651. She was married, thirdly, 16 January 1653, as his third wife, to David, second Earl of Wemyss, and died February 1688. By his wife Lord Balgonie had issue:—

   (1) Alexander, second Earl of Leven.
   (2) *Catherine*, married (contract 17 January 1655) to George, first Earl of Melville.
   (3) *Agnes*, mentioned in her father's testament, but apparently died young before January 1646.

3. *Barbara*, married to General Sir John Ruthven of Dunglas, with issue. His testament was confirmed 29 January 1648.[3]
4. *Christian*, married to Walter Dundas, younger of Dundas, and died in December 1689,[4] leaving issue.
5. *Anne*, married, first, at Holyrood, 30 April 1642, to Hugh, Master of Lovat. She had a tocher of 50,000 merks.[5] He died in May the following year, and she was married, secondly, to Sir Ralph Delaval of Seaton Delaval, in the county of Northumberland, with issue.
6. *Margaret*, married, after 1 October 1639,[6] to James Crichton, first Lord Frendraught, and died 24 November 1640.

[1] Collins's *English Baronetage*, i. 396. [2] Melville Charter-chest. [3] Edin. Tests. [4] *Turnbull's Diary*, Scot. Hist. Soc. *Misc.*, i. 340. [5] Wardlaw MS., 277. [6] Cf. vol. iv. 130.

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7. *Mary*, married (contract 10 July 1643) to William, Master of, and afterwards third Lord Cranstoun.

ALEXANDER, second Earl of Leven, grandson of the first Earl, was born about 1637. Succeeding to the title in 1661, he took the oath of allegiance and his seat in Parliament on 14 May of that year. In 1662 he formed part of the convoy of Archbishop Sharpe through Fife to St. Andrews, and he attended the meeting of Parliament in May that year. In 1663 he was chosen to act on the Parliamentary Commission for the Plantation of Kirks, made a Justice of the Peace for the counties of Berwick and Fife, and placed on a committee, appointed at his own request, for adjusting accounts with the collectors of Fife.[1] He signed the marriage-contract of his half-sister Anna, Countess of Buccleuch, with James, Duke of Monmouth, in 1663. On 12 February 1663 he covenanted to resign his honours in favour of the heirs-male, whom failing, to the heirs-female, without division, of his body, with remainder to the second sons respectively of John, Earl of Rothes, of his sister Catherine by her husband George, Lord Melville, of his mother Margaret by her then husband David, Earl of Wemyss, and the heirs-male of their bodies, whom failing, to his own heirs-male whatsoever, whom failing, to his heirs and assignees. He died before a charter of re-grant could be completed, but his daughter got a confirmation under the Great Seal 7 September 1665. The Earl died at Balgonie 15 July 1664, of a high fever, Lamont says, after a deep carouse with the Earl of Dundee at Edinburgh and Queensferry. It was said that on crossing the Forth they drank sea water to each other, and after landing they drank sack.[2] He was buried at Markinch 3 August. He married, at Naworth Castle, Cumberland, 30 December 1656, Margaret, fifth daughter of Sir William Howard, and sister to Charles, Earl of Carlisle. Her dowry was 45,000 merks, her jointure from the Leven estates 9000 merks, and it is said that the home-coming cost Lord Balgonie about 24,000 merks.[3] The Countess 'a

[1] *Acta Parl. Scot.*, vii. 368, 446, 474, 501, 505, 507. [2] Lamont's *Diary*, 170, 172. [3] Contract of marriage in Melville Charter-chest; Lamont's *Diary*, 90.

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tender, weake woman' did not long survive her husband, dying at Edinburgh 30 September, and being buried at Markinch 3 October, 1664. They had issue:—

1. Margaret, Countess of Leven.
2. *Anna*, mentioned in her father's will. Predeceased her elder sister.
3. Catherine, Countess of Leven.

Margaret, *suo jure* Countess of Leven, succeeded to the title and estates on her father's death. The Earl of Rothes was her tutor, and seems to have designed to marry her to his nephew, Francis Montgomerie of Giffen, a brother of Alexander, eighth Earl of Eglintoun. The young lady did not approve of the proposed match. In a letter to her aunt, Lady Melville, dated 31 July 1673, she says, 'Be ashured I shall giv my consent to mary to no man till I be tuenty yiers of ag, and then I hop in God I shall not be in gret danger of bearing bairns. I got word from Dr. Waderburn that if I maried now I shuld haserd both my oun life and my chyld's. . . . I belev its only the chansler's desyr to get him this fortoun and me to dy, and therfor on a mater I oght to consider upon or I weaken the family my gret grandfather got at the prys of his blood.' Notwithstanding this precociously cautious letter Chancellor Rothes was too powerful a man to let a girl's fancies or feelings interfere with his plans. The marriage-contract between the Countess and Montgomerie was signed within little more than two months after the date of the above letter, on 10 October 1673, and the marriage took place shortly after. What the poor girl feared actually took place, and she died in November 1674, without issue. Her husband was entitled to a large fortune out of her estates, which led to a lawsuit between him and the third Earl of Leven, in which there was much mutual recrimination. A plea, however, that she was not in a condition to marry and had been forced into it was not sustained. It is evident that she and her sisters were all delicate, as the apothecary's account for medicines to them from 11 July 1668 to 22 January 1676 amounted to no less a sum than £2312 Scots.

Catherine, *suo jure* Countess of Leven, was born in

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1663 or 1664. On 15 January 1675 George, Lord Melville, was appointed tutor-at-law to her, and in October of that year she chose as her curators the Duke of Monmouth, the Earl of Carlisle, George, Lord Melville, his son the Master, and some others, but not the Duke of Rothes. She did not long survive this appointment, dying on 21 January 1676, unmarried. On her death the dignity did not immediately pass, as the Duke of Rothes was still alive, and though he had no second son, yet so long as he lived, and there was a possibility of his having sons, the conditions of the resignation of 1663 could not be obtempered. On the Duke's death, however, without male issue, on 27 July 1681, the succession to the Leven title opened to the cousin of Countess Catherine, David, second son of George Melville, first Earl of Melville, by Catherine, sister of Alexander, second Earl of Leven. (*See title* Melville.)

Creation.—11 October 1641, Earl of Leven and Lord Balgonie.

Arms (not recorded in the Lyon Register, but given in Peers' Arms ms., Lyon Office).—Quarterly: 1st and 4th, azure, a thistle slipped proper ensigned with an imperial crown or, a coat of augmentation; 2nd and 3rd, argent, on a bend azure three buckles or, for *Leslie*.

Crest.—A mailed arm couped at the shoulder and flexed at the elbow azure, holding a scimitar in bend proper, hilted and pommelled or.[1]

Supporters.—Two ensigns in uniform, each holding in the exterior hand a banner gules, with a canton azure charged with a saltire argent.

Motto.—*Pro rege et patria.*

[J. B. P.]

[1] Nisbet gives a man in armour holding a sword, with other two for supporters.

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LESLIE, LORD LINDORES

ANDREW, fifth Earl of Rothes, had by his first wife, Jean Hamilton, three sons:—

1. **John**, Master of Rothes, who succeeded.
2. **Patrick**, of Pitcairlie, of whom afterwards.
3. *Andrew*, of Turnberry, died *s.p.*

By his second wife, Jean Ruthven, he had no issue, but by his third, Janet Davie, he had three sons:—

4. *George*, of Newton, died *s.p.* 1614.
5. **John**, who succeeded his brother in Newton, of whom afterwards.
6. *Robert*, died *s.p.*

I. **Patrick Leslie** of Pitcairlie was appointed Commendator of the Abbey of Lindores previous to 13 December 1569, when the gift of a pension by him under that designation was confirmed.[1] On 16 December 1581 he had charters of the House of Pittendreich in the burgh of Elgin, and of the third part of the lands of Duffus.[2] On 24 September 1590 he had, as the King's 'familiaris servitor,' a charter of the church lands of Lathrisk.[3] On 24 November 1592 he had a grant of the lands of Pokmylne, co. Perth; and on 16 December of the same year he got the

[1] Presentation of Benefices 1539. [2] *Reg. Mag. Sig.* [3] *Ibid.*

lands of Woidraiff and others, co. Fife.[1] In 1599 he was one of the gentlemen adventurers for the settlement of Lewis and Harris, a scheme which before long collapsed.[2] It is said that on the occasion of the baptism of Prince Charles in December 1600 the Commendator was created LORD LINDORES.[3] In the first edition of Douglas's *Peerage*, however, the patent is said to have been dated 31 March 1600, and to have been with remainder to his heirs-male whatsoever; but this date was certainly that of another charter to his son Patrick, Master of Lindores, creating him a Peer. This never appears to have been acted upon, and Patrick was styled Master long after that date. The House of Lords in 1783 presumed on a later and more valid grant to the father probably on the resignation of the son, and, in accordance with their adopted rule, with remainder to the heirs of his body only.[4] In the decreet of ranking of 1606 this barony is put between that of Roxburgh, created about 1599, and that of Loudoun, created in 1601, which tallies with its taking the rank of the charter of 31 March 1600.[5] There was an act of erection of Lindores into a temporal lordship in favour of the Commendator passed in Parliament 11 July 1606;[6] in this he is styled 'Patrick now Lord of Lundoris, sometime Commendator,' etc. Whatever may have been the intention of the grant to the son, there seems no doubt that the Commendator was fully acknowledged as a temporal Peer, and may be considered the first Lord Lindores. He died between 1606 and 1609. He married Jean, daughter of Robert Stewart, Earl of Orkney; she married, secondly, as his third wife, Robert, first Lord Melville of Monimail. She was living 1642. By her Lord Lindores had issue:—

1. PATRICK, second Lord Lindores.
2. JAMES, third Lord Lindores.
3. *Robert*, who had a thirty-eight years' lease of the revenues of the bishopric of Orkney[7] in 1641, which three years afterwards he assigned to the burgh of Edinburgh.[8] It is not known whom he married, and the line is extinct.

[1] *Reg. Mag. Sig.* [2] *P. C. Reg.*, v. 462. [3] *Ibid.*, vi. 187 *n.* [4] Riddell's *Peerage Law*, 778. [5] *Complete Peerage*, v. 97 *note c.* [6] *Acta Parl. Scot.*, iv. 355. [7] *Ibid.*, v. 487. [8] *Ibid.*, vi. pt. i. 258.

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4. *Ludovick*, served with the army of Gustavus Adolphus, and obtained the rank of colonel. Appointed Governor of Berwick in 1648. In 1647 he bought the 'Reid Inch,' or Mugdrum island, in the loch of Lindores, from William Oliphant of Balgonie, and shortly afterwards the estate of Mugdrum from George Orme.[1] Both these, however, he sold in 1664 to William Arnot, brother of the laird of Woodmylne. He died *s.p.*
5. *David*, Lord Newark. (*See that title.*)
6. *Margaret*, married (contract 30 April 1622) to John, second Lord Maderty.[2]
7. *Elizabeth*, married (contract 26 July 1628) to Sir James Sinclair of Moy, Baronet.[3]
8. *Jean*, married to John Forbes of Leslie, second son of Forbes of Monymusk. In 1620 he got the estate of Leslie from his brother-in-law the second Lord.
9. *Janet*, married to Sir John Cunningham of Broomhill.
10. *Euphemia*, married, about 1616, to Sir David Barclay of Collairnie.[4]

II. Patrick, second Lord Lindores, was undoubtedly created a Peer under the title of Lord Lindores by charter 31 March 1600,[5] which erected the abbacy of Lindores into a temporal lordship with the title, rank, and vote of a Lord of Parliament. This grant of the lordship of Lindores was ratified to him by Act of Parliament of 15 November 1600,[6] but it is to be remarked that in it he is simply styled Patrick Leslie of Pitcairly. The presumption, therefore, is that between the date of the above-mentioned charter and the ratification he had resigned the honour in favour of his father. Of course, at the death of the latter a few years later he did become Lord Lindores. He was served heir to his uncle Andrew Leslie of Lumbenny 19 April 1609.[7] He was an extravagant and dissipated person, and parted with almost all the family estates, the abbey lands in the north being acquired by his brother-in-law, John Forbes of Leslie.

[1] Laing's *Lindores Abbey*, 212. [2] *Reg. Mag. Sig.*, 18 January 1625. [3] *Ibid.*, 17 February 1636. [4] *Ibid.*, 25 August 1619. [5] *Reg. Mag. Sig.* [6] *Acta Parl. Scot.*, iv. 246. [7] *Retours*, *Fife*, 200.

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He died 12, and was buried in Newburgh Church 14, August 1649.[1] He was unmarried.[2]

III. JAMES, third Lord Lindores, succeeded his brother, and died before 20 July 1667. He is said to have married, first, a daughter of Ormiston of Ormiston;[3] secondly, Mary, third daughter of Patrick, Lord Gray;[4] and thirdly, a Yorkshire lady of the name of Clepburn, but there is no positive evidence as to any of these marriages. He left issue:—

1. JOHN, (by second wife), fourth Lord Lindores.
2. *Jean* (by third wife), married, first, to John Stewart of Innernytie; and secondly, before 1684, to John Bruce of Blairhall. She was living 8 June 1736, when as aunt of the deceased David, Lord Lindores, and next-of-kin and heir-of-line to him, she executed a disposition of the estate of Lindores in favour of Alexander, sixth Lord Lindores.[5]

IV. JOHN, fourth Lord Lindores, succeeded his father before 20 July 1667.[6] On 1 August 1694 he had a grant of the house and grounds of Lindores and some of the property, all of which had been alienated by the second Lord.[7] He was buried in Holyrood 17 January 1706,[8] having married, first, 31 July 1669, Marion, daughter of James, second Earl of Airlie, and widow of James, Lord Coupar; and secondly, 6 September 1695, Jean Gibson, widow of Sir Hugh MacCulloch of Piltoun. She died in 1712.[9] By his first wife Lord Lindores had issue one son,

V. DAVID, fifth Lord Lindores. On 18 December 1718 he executed a disposition bearing that, being desirous to settle what remained of the family property of Lindores in the best manner for the preservation of the memory of the family, and considering that the deceased David, Lord Newark, was a son of the Commendator, he settled Lindores on his granddaughter Jane Leslie, Lady Newark, in her own

[1] Balfour's *Annals*, iii. 425. [2] The not always reliable Balfour credits him with no less than sixty-seven 'basse children'; *Annals*, iii. 423. [3] The lands of Ormiston in Berwickshire had passed from the possession of the family of that name since about 1578. [4] Birth brief, Lyon Office. [5] *Hist. Records of Family of Leslie*, ii. 193. [6] Lindores Peerage Case. [7] *Reg. Mag. Sig.* [8] Holyrood Reg. [9] Cramond Kirk Session Records.

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right. Lord Lindores died in July 1719, and Lady Newark was served heiress of provision 20 August 1736, and two years later, in April 1738, with the consent of her husband, Sir Alexander Anstruther, executed a disposition of Lindores in favour of Alexander, sixth Lord Lindores. David, Lord Lindores, married Margaret, daughter of Sir Archibald Stewart of Dunearn, and widow of Sir Archibald Stewart of Burray, but by her he had no issue. On his death the succession to the Peerage opened to the line of Sir John Leslie of Newton, brother of Patrick, first Lord Lindores.

Sir John Leslie, the fifth son of Andrew, fifth Earl of Rothes, succeeded in 1614 to the estate of Newton on the death of his brother George.[1] He had charters of the lands and barony of Newton and others 16 June 1596,[2] of the teind sheaves of Newton 18 January 1634; and of the lands of Lochmylne in the barony of Abernethy, Fife, 7 August 1643.[3] He was one of the Lords of the Articles in the Parliament of 1663,[4] was appointed an Ordinary Lord of Session 13 November 1641,[5] and two days afterwards was knighted by Charles I. at Holyrood. He was one of the Commissioners of Exchequer in February 1645,[6] but, being involved in the 'Engagement,' he was deprived of his offices by the Act of Classes on 12 March 1649. He was killed at the storming of Dundee by Monck 1 September 1651.[7] He married (contract 8 and 15 September 1603),[8] Elizabeth, fourth daughter of Patrick, sixth Lord Gray, and by her had issue:—

1. *John*, who was killed along with his father at Dundee 1651. He married, 25 April 1550, the eldest daughter of George Hay of Naughton, and by her had a son *John*, who died *s.p.*
2. Andrew, of whom presently.
3. James of Lumquhat, of whom afterwards.
4. *William*, married (contract 13 February 1644) Margaret, daughter of John Leslie of Myres.[9]
5. *Elizabeth*, married, as his first wife, to William Dick of Grange, and had by him two daughters, *Anna*

[1] *Retours, Fife*, 309. [2] Confirmed 31 March 1620, *Reg. Mag. Sig.* [3] *Ibid.* [4] *Acta Parl. Scot.*, v. 10. [5] *Ibid.*, 466. [6] *Ibid.*, vi. 164. [7] Lamont's *Diary*, 34. [8] Gray Inventory, ii. 472. [9] *Reg. Mag. Sig.*, 26 February 1644.

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and *Janet*, who were on 12 July 1697 served heirs-portioners of entail to their uncle John Leslie of Newton, son of Sir John Leslie of Newton, in the lands of Corbie and others.[1]

6. *Jean*, married, as his second wife, to Andrew Dick of Holland, Sheriff of Orkney, 28 April 1642.[2] They had a charter of the lands of Craighouse, near Edinburgh, 22 May 1649.[3]

Andrew Leslie, the second son, acquired the lands of Quarter in the parish of Burntisland. He attained the rank of major in the Army. He died 1669, testament confirmed 27 July 1674.[4] He married Margaret, daughter of Andrew Balfour of Grange. She died before 15 May 1676, when her testament was confirmed,[5] having had by her husband one son,

John Leslie of Quarter, served heir to his father 30 November 1679, and died 29 July 1706.[6] He married a daughter of Alexander Spital of Leuchat, by whom he had issue:—

1. Alexander, who succeeded.
2. *Elizabeth*, married to James Spital of Leuchat.
3. *Jean*, died unmarried.

VI. Alexander Leslie of Quarter was served heir to his father 16 August 1717, and on the presumption that the original grant was to heirs-male whatsoever, assumed the title of Lord Lindores on the death of the fifth Lord in 1719. He was a lieutenant 3rd Foot Guards 1734; captain 1745; colonel 77th Foot 7 April 1758; major-general 24 February 1761; colonel 41st Foot 16 May 1764. He voted at the elections of Scottish Representative Peers without protest or question. He died 30 August, and was buried at Chelsea 3 September, 1765.[7] He married Jean, daughter of Colin Campbell, Commissioner of Customs, second son of Sir Colin Campbell of Aberuchill, Bart. They had issue

VII. Francis John,[8] seventh Lord Lindores, a captain of

[1] *Retours, Fife*, 1397. [2] Edin. Marriage Reg. [3] *Reg. Mag. Sig.* [4] St. Andrews Testa. [5] *Ibid.* [6] *Retours, Fife*, 1175. [7] *Scots Mag.* [8] The name of this Lord is variously given. Douglas calls him Francis John, *Records*

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Marines 1757. He voted at the election of Scottish Peers in 1767, 1771, and 1774 without objection being taken. He died, unmarried, 30 June, and was buried 4 July 1775, at Hackney, Middlesex.

The title was then assumed by the next heir-male, descended from the third son of Sir John Leslie of Newton.

James Leslie of Lumquhat. He had a disposition, 12 March 1669, of the lands of Lumquhat to himself as lawful son of Sir John Leslie of Newton, and in name and behalf of Janet Dick, his spouse, and their eldest son John.[1] He died in October 1675,[2] testament confirmed 27 October 1682.[3] He married Janet, daughter of William Dick of Grange, and by her had at least one son,

John Leslie, a captain in the Army, who was served heir to his father in several pieces of land near Auchtermuchty 31 October 1706. He died in December 1714.[4] He married, 14 January 1763, Mrs. Mary Gibb, Lady Ormeston.[5] They had issue

John Leslie, who was served heir to his father 8 November 1728.[6] He married Janet, daughter of James Arnot of Woodmylne, by whom he left a son,

John Leslie, born 1723; was an officer in Gardiner's Dragoons, and served in the Duke of Cumberland's campaigns. He died between 30 June 1771, when he was served heir to his grandfather, and 2 February 1774, when his son was served heir to him. He married Antonia, daughter of John Barclay of Collairnie, by whom he had issue:—

1. John, of whom presently.
2. *David*, drowned at sea.
3. *Norman*, died young.
4. *Elizabeth*, born 5 March 1745; married to Captain Hewan, 4th Dragoon Guards, and died 1802.

of the Family of Leslie call him Francis alone, the *Complete Peerage* gives James Francis, while Musgrave's *Obituaries* say Francis James.
[1] *Min. Com. on Privileges*, 1793. [2] *Service of Heirs*. [3] St. Andrews Tests. [4] *Service of Heirs*. [5] Abdie Parish Reg. [6] *Ibid.*

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5. *Hughina*, born 15 March 1746. She lived to be a centenarian, dying at Cupar-Fife 22 April 1846.[1]
6, 7, 8, 9. *Jane*, and three other children, all died in infancy.

VIII. JOHN, eighth Lord Lindores, was born 1750, and was served heir to his father 2 February 1774. He was an officer in the 26th Foot. He voted at the election of Scottish Peers in 1780, 1784, and 1787. In 1790 his votes were objected to, and the House of Lords, on 6 June 1793, resolved that 'the votes given by the Lord Lindores at the said election were not good.'[2] Douglas, however, reports it very differently. It is to be observed that this was merely a decision against the votes given by Lord Lindores, and was not apparently a decision against any claim he might have to the Peerage, nor are the grounds on which it proceeded known. If the charter of 1600 did legally grant the title of Lord Lindores to Patrick Leslie and his heirs-male whatsoever, his now heir-male, in whatever line he is to be sought, must be entitled to the Peerage, but whether the decision of 1793 proceeded upon the insufficiency or invalidity of the grant made by that charter, or upon other grounds is not known. Lord Lindores died 4 May 1813.[3] He married, at South Audley Street, London, 22 March 1789, Jane, youngest daughter and co-heir of Sir Thomas Reeve of Hendens, Berks, but by her, who died at Maidenhead, Berks, 11 November 1837, aged seventy-seven, he had no issue. Since his death the title has remained unclaimed.

CREATION.—Lord Lindores, 31 March 1600.

ARMS (recorded in Lyon Register).—Quarterly: 1st and 4th, argent, on a bend azure three buckles or, for *Leslie*; 2nd and 3rd, or, a lion rampant gules surmounted of a cost sable for *Abernethy*; over all on an escutcheon of pretence, gules, a castle argent.

[1] Laing's *Lindores Abbey*, 408. The *Records of the Family of Leslie* make Hughina a daughter of the sixth Lord, but a comparison of dates makes the parentage as given in the text more probable. [2] Hewlett's *Scottish Dignities*, 66. [3] *Scots Mag.*

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Crest.—A demi-angel, wings displayed or, holding in her hand a griffin's head erased proper.

Supporters.—Two griffins argent.

Motto.—*Stat promissa fides.*

[J. B. P.]

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LINDSAY, EARL OF LINDSAY

SIR WILLIAM LINDSAY,[1] youngest son of Sir David, Lord of Crawford,[2] had a charter of the lands and barony of Byres, in East Lothian, on the resignation of his brother, Sir Alexander Lindsay of Glenesk, on 17 January 1365-66.[3] He had charters under the Great Seal of the lands of Borthwykschelys, in the barony of Chamberlayne Newton in Roxburghshire, which had been forfeited by Laurence de Abernethy, Knight, on 20 June 1374, and of all the lands in the tenement of Drem, Haddingtonshire, which belonged to Johanna de Erth of Walchton, and were resigned by William de Gourlay, her son, to him and his spouse, dated 27 December 1374.[4] He is celebrated by Froissart as one of the Enfants de Lindsay, and is said to have knighted the son of Saint Bridget of Sweden at the Holy Sepulchre. He died before 1 July 1393. He married Christiana, daughter of Sir William Mure of Abercorn, with whom he obtained that barony, and had issue

1. SIR WILLIAM, his heir.

SIR WILLIAM LINDSAY, Lord of the Byres, received, through

[1] The writer is indebted to Mr. W. A. Lindsay, Windsor Herald, for many authorities given in this article. [2] See vol. iii. 11. [3] Minutes of Evidence in Lindsay Peerage Case, 3. [4] *Ibid.*, 4.

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his wife, Christian, daughter of Sir William Keith, Knight Marischal of Scotland, the barony and castle of Dunnottar, which lands he afterwards, by charter dated 8 March 1392,[1] exchanged with the Keiths for the lands of Ochterotherstruther,[2] in Fifeshire, reserving the privilege that the eldest son of the family should be sheltered in the castle during infancy in time of intestine warfare. On 1 July 1393 he had a charter of said lands from Walter, Bishop of St. Andrews, to him and his spouse, upon the resignation of Sir William Keith, and on 29 June 1393 he had a Crown charter from Robert III. of the lands of Pittendreich, in Stirlingshire, upon the resignation of William de Keith and Margaret Mure, his spouse,[3] which lands, on 6 June 1397, he conveyed to William of Elfinstoun.[4] He granted a charter to the chapel of Saint Mary of Drem, for the welfare of the souls of himself and Christian, his spouse, of certain lands and tenements in Drem, *circa* 1412,[5] and in 1413 founded a chapel to the Holy Trinity in the Cathedral at St. Andrews, to be supported by eight pounds yearly payable from the barony of Aldie, in Strathearn.[6] He died in 1414. He married, as before mentioned, Christian Keith, and had issue:—

1. John, his heir.
2. *William*.
3. *Alexander*.

Sir William had also a natural son, *Andrew* of Garmylton,[7] ancestor of Sir David Lindsay, Lyon King of Arms 1542-55.

I. Sir John Lindsay of the Byres,[8] a hostage for the ransom of King James I. in 1424, had a charter of the lands of Elbothell and others in the barony of Dirleton, which formerly belonged to Walter Ramsay, from Walter of Haliburton, on 20 November 1437,[9] and from James of Kyninmonth, Knight, he, on 20 March 1440, had a charter of the lands of Cassyndeli.[10] He was created LORD LINDSAY OF THE BYRES in 1445, and on 23 January 1445-46 had

[1] Minutes of Evidence, 6. [2] Now called Crawford Priory. [3] *Elphinstone Book*, ii. 225. [4] *Ibid.*, 226. [5] *Haddington Book*, ii. 227. [6] *Reg. Mag. Sig.* [7] *Exch. Rolls*, iii. 471. [8] Douglas gives two Sir John Lindsays at this date, probably on account of the length of time Sir John appears in possession of Byres, but there is no evidence to show that was the case. [9] Minutes of Evidence, 8. [10] *Ibid.*, 11.

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a charter of lands in Drem from Archibald Newtoun of Dalcove,[1] which was confirmed under the Great Seal 22 February 1445-46. From James, Bishop of St. Andrews, he had a precept for infefting him in the lands of Latham on 11 January 1452,[2] and he was in Flanders between 13 September 1455 and 7 July 1456, where he made certain payments.[3] He was appointed Justiciar of Scotland north of the Forth in 1457, a Lord of Session 6 March 1457-58, and died 6 February 1482. He is said to have married a daughter of Robert Stewart, Lord Lorne, and had issue:—

1. DAVID, second Lord.
2. JOHN, third Lord.
3. *George*, who, as brother and heir-apparent of John, third Lord, executed a disclaimer as to his being a party to an appeal made by William his brother, on account of the infeftment granted by John, Bishop of St. Andrews, in favour of Patrick Lindsay of the lordship of Ochterotherstruther, on the resignation by the said John, third Lord, to which resignation George declared his assent 26 October 1498.[4] He married a daughter of Inglis of Tarvit, and had issue a daughter *Marjory*, who married Andrew Stewart of Beith, of the Rossyth family.
4. PATRICK, fourth Lord.
5. *James*,[5] rector of Benhame,[6] a witness to a charter by his father to John Elphinstoun of the lands of Pittendreich 6 November 1477.[7]
6. *William*, 'a circumspect clerk,' had a charter from his father of the lands of Mungo's Wells, in the barony of Drem, on 8 December 1476.[8] Married Margaret Christison, and died *s.p.*[9]
7. *Archibald*, chantor of Aberdeen, had a precept of sasine from his father for infefting him in the

[1] Minutes of Evidence, 12. [2] *Ibid.*, 14. [3] *Exch. Rolls*, vi. 115. [4] Minutes, 35. [5] Wood's Douglas inserts as fifth son Sir Walter Lindsay, preceptor of Torphichen, but he was sister's son of George Dundas his predecessor, as the latter's tombstone proves; his mother therefore was a Dundas. He had three brothers, Andrew, first of the Lindsays of Esperston, John, and Alexander; Templelands MSS. i. f. 94; *Antiq. of Aberd.*, etc., iii. 595; Protocol Book of Robert Rollok, ff. 40b, 46a. [6] *Eighth Rep. Hist. MSS. Com.*, 307. [7] *Elphinstone Book*, ii. 230. [8] *Haddington Book*, ii. 238. [9] Act of Court, Tynningham Charter-chest, 4 December 1571.

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western third part of the lands of Drem, called Mungo's Wells, and half of the east third part of the said lands of Drem, on 14 November 1471.[1] He mortified £10 annually, payable from the barns of Ceres, to the chapel of the Holy Trinity of St. Andrews, founded by his grandfather.

8. *Christian*, married, first, to John, son and heir of John, Lord Seton[2] (commission to grant dispensation for this marriage, the parties being in the third and third degrees of consanguinity, 20 January 1458-59, both being great-grandchildren of Robert, Duke of Albany[3]), and, secondly, before 19 July 1476, to Alexander, Lord Kilmaurs.[4]
9. *Margaret*, married to Walter, first Lord Innermeath.[5]
10. *Catherine*, married to Alexander Seton, younger of Parbroath.[6]
11. *Mary*, married, as his first wife, to John, Lord Yester, and died before 1468.
12. *Elizabeth*, perhaps eldest, contracted when young to John Lundin, son and heir-apparent of John Lundin of that Ilk, 21 January 1434-35.[7]

II. DAVID, second Lord Lindsay of the Byres, was seised in an annualrent of five merks, payable out of the Mains of Drem, on 3 June 1446, on precept of sasine by Jonet of Fentoun, one of the heirs of the late Walter of Fentoun of Baky, sometime spouse of Robert of Halyburton.[8] On 10 November 1458 he had a charter to him and Janet Ramsay from Mr. John Kennedy, Provost of the Chapel Royal of St. Andrews, of the lands of Balmane, in the regality of St. Andrews,[9] and a charter under the Great Seal, on 14 January 1458-59, on the resignation of his wife, in their favour, of the lands of Edindony, in Fife.[10] From William, Archbishop of St. Andrews, he had a precept of clare constat, as heir of his father, on 20 March 1482-83,[11] in the lands of Ochterotherstruder, upon which he had sasine on 26 of same month.[12] He was also seised, on a precept from

[1] *Haddington Book*, ii. 237. [2] *Seton Book*, i. 102. [3] Vatican archives, *Reg. Lat.*, 538, 236. [4] *Acta Auditorum*, 54, 157. [5] *Reg. Mag. Sig.*, 12 July 1481. [6] *Family of Seton*, i. 289. [7] Lundin Charters, Drummond Castle. [8] *Haddington Book*, ii. 233. [9] Minutes of Evidence, 18. [10] *Reg. Mag. Sig.* [11] Minutes of Evidence, 19. [12] *Ibid.*, 20.

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Chancery, as heir foresaid, in the lands of Aberchirdir, in Banffshire, 3 February 1484-85.[1] He supported the cause of King James III. against the rebel lords, and brought one thousand horse and three thousand foot of Fife to his assistance at the battle of Sauchieburn in 1488. Before the fight he presented the King with the 'great grey horse' which proved so fatal a gift to the monarch. He died in 1490, having married Janet, daughter and heiress of Walter Ramsay of Pitcruvie,[2] without issue. She, on 28 January 1496, granted a charter to Sir Thomas Ferguson, chaplain of the parish church of Largo and his successors of an annualrent of 5 merks of the lands of Scheithum and others for masses for the souls of Sir John Ramsay of Petcruvy, her grandfather, Walter, her father, Lady Isobel Wemyss, her mother, John Lundy of that Ilk, Andrew Lundy of Pitlochy, her brothers, Sir John Lundy, now of that Ilk, and Robert Lundy of Balgony.

III. John, third Lord Lindsay of the Byres, 'John out with the sword,' succeeded his brother, and had precept from William, Bishop of Aberdeen, on behalf of the Archbishop, for infefting him, as heir of his brother, in the lands of Ochterotherstruder, Kirkforthar and Latham on 25 January 1491-92.[3] On his own resignation he had a charter under the Great Seal to him and Marion Baillie, his spouse, of the lands and barony of Byres, the lands of Dene, etc., on 8 November 1495.[4] He died between 29 September and 5 November 1497, being the dates when he and his brother Patrick, fourth Lord, granted charters to John Elphinston of Pettindreich.[5] He married Marion, daughter of Sir William Baillie of Lamington[6] who survived him, and married, secondly, before 1503, Robert Douglas of Lochleven. He had issue:—

1. *Margaret*, married, first, to Richard, third Lord Innermeath, and had issue, and secondly, to Sir James Stewart of Beath, who was slain, Whitsunday 1547, by Edmonston of Duntreath.[7]

[1] *Antiq. of Aberd.*, etc., ii. 221. [2] *Reg. Mag. Sig.*, 3 February 1496-97. [3] Minutes of Evidence, 22. [4] *Reg. Mag. Sig.* [5] *Ibid.* [6] *Ibid.*, 18 November 1495. She has been confused by previous writers with Marion Baillie, wife of John, third Lord Somerville, but that they were different persons is clearly proved by the *Acta Dom. Conc.* [7] *Ibid.*, 1 June 1543; *Sixth Rep. Hist. MSS. Com.*, 671.

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IV. PATRICK of Kirkforthar, afterwards fourth Lord Lindsay of the Byres, was a celebrated advocate in his youth, and defended his brother David, second Lord, for his conduct at Sauchieburn, which so displeased King James IV. that he committed him prisoner to Rothesay Castle for a year. From his brother John, third Lord, he had a precept for infefting him in the lands of Ochterotherstruder on 1 October 1497,[1] upon which he executed a procuratory of resignation on 4 October 1497,[2] and had a charter from James, Archbishop of St. Andrews, following thereon on 16 June 1499.[3] Following on a resignation by his brother John and his spouse, he had a charter under the Great Seal of the lands and barony of Byres and others on 28 October 1497,[4] and a precept of sasine from the Crown for infefting him in the barony of Abercorn 28 October 1497.[5] He accompanied King James IV. on his expedition into England, of which he disapproved, and was present at Flodden, but succeeded in escaping. After the battle he was appointed one of the four Lords to remain continually with the Queen-Dowager and advise her. From Parliament he had a ratification to himself, his son, and grandson of the sheriffship of Fife in July 1525. He died in 1526, and was buried at St. Andrews. He married Isabella, daughter of Henry Pitcairn of that Ilk and Forthar, who survived him, and had issue:—

1. SIR JOHN, Master of Lindsay.
2. WILLIAM of Pyotston, aftermentioned.
3. *David*, who had a charter from his father of the lands of Kirkforthar in 1500, and of the lands of Piotston and Glaslie on 9 August 1508, which was confirmed by the Crown 8 January 1510-11.[6] He was killed at Flodden 1513.
4. *Margaret*, eldest daughter, married to James, Lord Innermeath.
5. *Janet*, married to Sir Andrew Murray of Balvaird.
6. *Isabel*, married to Sir William Scott of Balweary.[7]

SIR JOHN LINDSAY of Pitcruvie, Master of Lindsay, had a charter to himself and Elizabeth Lundie, his spouse, of the

[1] Minutes of Evidence, 23. [2] *Ibid.*, 24. [3] *Ibid.*, 28. [4] *Reg. Mag. Sig.* [5] Minutes of Evidence, 25. [6] *Reg. Mag. Sig.* [7] *Ibid.*, 8 June 1537.

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lands of Pitcruvie on his own resignation 14 June 1498,[1] and a charter from his father of the barony of Byres, the barony of Abercorn and Pitlessy and others on 29 April 1524,[2] which was confirmed under the Great Seal 30 May 1524.[3] He died *vitâ patris* 1525. He married Elizabeth, daughter of Sir Robert Lundie of Balgonie, Lord High Treasurer of Scotland. She married, secondly, David Lundie, brother-german to Walter Lundie of that Ilk. Sir John had issue:—

1. Sir John, fifth Lord.
2. *Patrick*, who had a charter of the lands of Kirkforthar from his grandfather, which lands had reverted to the granter by the death of David Lindsay, his son, at Flodden without issue, on 19 May 1514.[4]
3. David of Kirkforthar, of whom afterwards.
4. *Elizabeth*, married to Walter Lundin of that Ilk. She had a charter of the lands of Hatton 22 May 1540.[5]
5. *Janet*, who was contracted in marriage to Andrew Kinninmond of that Ilk on 4 July 1526, and had a charter with her spouse of the barony of Craighall 21 February 1526-27.[6]
6. *Alison*.

V. John, fifth Lord Lindsay of the Byres, had a charter in liferent from his grandfather of the lordship and barony of Byres on 30 March 1524,[7] was served heir to his father 8 March 1525-26,[8] had precept from James, Archbishop of St. Andrews, for infefting him as heir of his father in the lordship of Ochterotherstruder and others 14 May 1526,[9] had charter to him and his spouse of the lands of Newton, Duddingston, Duntarvy, Philipston, etc., on 7 February 1526-27,[10] and a precept of sasine from James Kyncragy, Provost of St. Mary's Church, St. Andrews, of the third part of the lands of Balmane, which belonged to his grandfather, 14 January 1530-31.[11] On 14 December 1538 he had a grant of sheriffship of Fife,[12] and on 2 July 1541 was

[1] *Reg. Mag. Sig.* [2] Minutes of Evidence, 36. [3] *Reg. Mag. Sig.* [4] Minutes of Evidence, 92. [5] *Penes* Earl of Ancaster. [6] Macfarlane's *Gen. Coll.*, ii. 539. [7] *Haddington Book*, ii. 249. [8] *Ibid.*, 250. [9] Minutes of Evidence, 38. [10] *Reg. Mag. Sig.* [11] Minutes of Evidence, 40. [12] Signature, Spalding Club *Misc.*, ii. 189.

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appointed an Extraordinary Lord of Session. He was present at the death of King James v. at Falkland in December 1542,[1] and was one of the four nobles to whom the charge of the infant Queen Mary was committed. He commanded the Scots army at Ancrum Moor in 1544, when the English under Sir Ralph Evers and Sir Brian Laton were defeated by the Earl of Angus. Appointed a member of the Privy Council in 1547, he was one of the Convention of Estates which, on 1 August 1560, abolished popery and sanctioned the reformed religion. He died at Struther 13 December 1563. He married Helen Stewart, daughter of John, second Earl of Atholl, who survived him and married, secondly, January 1563-64, Thomas Moncur, a dependant, and died in May 1577.[2] He had issue:—

1. Patrick, sixth Lord.
2. *John* of Drem,[3] died *s.p.* in France before 1626.
3. *Norman* of Kilquhis, of whom afterwards.
4. *Isabel*, married, first, to Norman Leslie, Master of Rothes, but had no issue; they had a charter of the lands of Bagothrie, etc., in the barony of Leslie, 22 February 1540-41;[4] and secondly, in November 1554, to William Christison, burgess of Cupar, who obtained decreet of adherence against her 23 January 1567-68;[5] and thirdly, to John Innes of Leuchars.[6]
5. *Janet*, married to Henry, Master of Sinclair, and died 8 April 1563.[7] 1569
6. *Margaret*, mentioned in her mother's will,[8] is said to have been married to James Beaton of Melgund, son of Cardinal Beaton.
7. *Marie*, married to William Ballingall of that Ilk.
8. *Helen*, married to Thomas Fotheringham of Powrie. She had a charter from him of the lands of Ballathrone 24 July 1579.[9]
9. *Catherine*, who was contracted in marriage to Alexander Inglis, younger of Tarvet, which was not completed.[10] She was married to Thomas Myreton of Cambo.

[1] Pitscottie, 276, 282. [2] St. Andrew's Kirk Session Reg., i. 230. [3] Minutes of Evidence, 66. [4] *Reg. Mag. Sig.* [5] *Edin. Com. Decreets*, upheld by the Court of Session February 1578-79; *Acts and Decreets*, xxiii. 377. [6] *Ibid.*, xxxii. 393. [7] Edin. Tests., 15 April 1569. [8] Macfarlane, *Gen. Coll.*, i. 9. [9] *Reg. Mag. Sig.*, 10 November 1579. [10] *Acts and Decreets*, xxvi. 265.

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10. *Elizabeth*, married (contract dated 25 March 1563) to David Kinnear of Kinnear.[1]

VI. PATRICK, sixth Lord Lindsay of the Byres, born 1521, had a charter on his own resignation to himself and his spouse of the dominical lands of Drem and others on 10 February 1545-46,[2] and of the lands and barony of Byres on his father's resignation 11 November 1546.[3] From James Lermont, Provost of St. Mary's Church, St. Andrews, he had a precept of clare constat as heir of his father, who had died three months previously, on 13 March 1563-64.[4] He was an ardent reformer, and Lord of the Articles, and with Sir William Kirkcaldy of Grange harassed the French forces in Fife, and laid siege to the house of Glamis, which had been fortified by a Swiss officer named La Bastie, who defended himself with a halbert against Lindsay in a hand-to-hand combat, but was overpowered and slain. He was a leader in the royal army which, on 20 October 1563, defeated the Earl of Huntly at Corrichie in Aberdeenshire. On the evening of 9 March 1565-66, with 150 men, he occupied the Palace of Holyrood while Ruthven and Darnley, with their followers, slew Rizzio.[5] For his share in this he was forfeited, fled to England, but was soon pardoned. He signed the bond to rescue Queen Mary from Bothwell, and for the safe-keeping of the infant prince and punishment of the murderers of Darnley. He was present in the army of the confederate lords on 15 June 1567, and there challenged Bothwell to single combat, which, however, was prevented by the interference of the Queen. To his care and that of Ruthven the unfortunate Mary was committed after the battle, and conveyed to Lochleven Castle, where on 24 July he compelled her with much harshness to sign her resignation of the Crown in favour of her infant son.[6] He again fought against the Queen at the battle of Langside, and on 20 July 1569 he voted against the proposed divorce of Mary from Bothwell.[7] He had a charter of the lands of Wolmerston, Mairstoun, and others in Fife, which David Spens had forfeited, on 28 October 1571,[8] of the office of Sheriff of

[1] *Reg. of Deeds*, vi. 203. [2] *Reg. Mag. Sig.* [3] *Ibid.* [4] Min. of Evidence, 42. [5] *P. C. Reg.*, i. 437-462. [6] *Ibid.*, 538. [7] *Ibid.*, ii. 8. [8] *Reg. Mag. Sig.*

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Fife on 7 February 1573-74,[1] and of the dominical lands of the monastery of Haddington 9 December 1580. In 1573 he was elected Lord Provost of Edinburgh, on 9 December 1580 he was appointed Heritable Bailie of the regality of the Archbishopric of St. Andrews, an office which was possessed by his descendants until 1748, and in 1582 he was one of those concerned in seizing the King's person at the raid of Ruthven. He became one of the Government formed after that event, and a member of the Privy Council, but on its overthrow he was compelled to fly into England.[2] He died at Struthers 11 December 1589.[3] He married Euphemia, daughter of Sir Robert Douglas of Lochleven, dispensation dated 1545, they being in the third degree of consanguinity,[4] being great-grandchildren of Archibald, second Earl of Argyll. She died in June 1580,[5] leaving issue:—

1. James, seventh Lord.
2. *Margaret*, married (contract dated 11 January 1574-75), as his first wife, to James, Master of Rothes,[6] and died in or before 1594.

VII. James, seventh Lord Lindsay of the Byres, born 1554, had a charter under the Great Seal to him and his wife of the lands of Pitcruvy and Montscheill on 18 February 1573-74,[7] a charter on his father's resignation of the Barony of Byres and others 10 January 1587-88,[8] was served heir to his father in half of the lands of Carnock, etc., 2 September 1590,[9] and had a charter of the lands of Orkye 30 April 1594. He was appointed a Gentleman of the King's Chamber 15 October 1580, was nominated to the Privy Council 18 January 1592-93,[10] and signed the bond to maintain the true religion at Aberdeen March 1592-93.[11] He died 1 November 1601. He married (contract 9 May 1573) Euphemia Leslie, daughter of Andrew, ~~fourth~~ fifth Earl of Rothes, who survived him, and had issue:—

1. John, eighth Lord.
2. Robert, ninth Lord.
3. *Margaret*.[12]
4. *Jane*, married to Robert Lundin of Balgonie.

[1] *Reg. Mag. Sig.* [2] *P. C. Reg.*, iii. 506. [3] Edin. Tests., 13 November 1591. [4] Ms. Harl., 6437. [5] Edin. Tests., 13 November 1591. [6] *Reg. Mag. Sig.*, 28 March 1575; *Fourth Rep. Hist. MSS. Com.*, 502. [7] *Reg. Mag. Sig.* [8] *Ibid.* [9] Minutes of Evidence, 45. [10] *P. C. Reg.*, v. 116. [11] *Ibid.*, 52. [12] *Reg. of Deeds*, xli. 1.

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5. *Helen*, married, 1623, to John, Lord Cranstoun,[1] and died *s.p.* 1658.
6. *Catherine*, died 1620; married (contract dated 9 October 1605) to James Lundie of that Ilk.[2]

VIII. JOHN, eighth Lord Lindsay of the Byres, was served heir to his father in the lands and barony of Pitcruvy, Markinch, Pyotston, etc., on 13 April 1602,[3] had charters of the lands of Carnock in Fife on the resignation of Sir George Ramsay of Dalhousie on 16 March 1602,[4] of the lands of Auchterstruther 5 April 1603,[5] and of Duddingston and the barony of Abercorn 28 January 1603,[6] which lands of Abercorn he resigned in favour of James, Master of Paisley, who had a charter thereon 5 April 1603.[7] He was a Privy Councillor in 1605, and to Sir Thomas Hamilton, afterwards Earl of Haddington, in 1608, he sold the lands of Byres for £33,333, 6s. 8d. Scots. He died at Edinburgh 5 November 1609. He married (contract dated at Dalkeith 4 July 1599) Anna, daughter of Laurence, Master of Oliphant, and had issue:—

1. *Anna*, served heir to her father 17 April 1610; married (contract dated 2, 3, 4, 5, 8, 16, 17, and 26 April 1619[8]) to Alexander, Lord Falconer of Halkertoun, but they, being unable to agree, mutually resolved to separate, he allowing her 1000 merks yearly.[9]

IX. SIR ROBERT LINDSAY of Orkie, Knight, ninth Lord Lindsay of the Byres, served heir to his brother, and heir-general to his father, 8 December 1609,[10] and heir-special to his brother in the lands of Pitcruvy, etc., 15 February 1610.[11] He had a charter of the superiority of the lands of Month, in Fife, on 29 November 1586,[12] of the barony of Finhaven and others in Aberdeen, Fife, and Forfar, 23 July 1611,[13] of part of Craighall 28 January 1613,[14] of Orkie and Kingask 4 March 1616, and of Kilquhis and the patronage of Ceres, all in Fife, on 22 March 1616.[15] He took his oath as a Privy Councillor 16 January 1610,[16] and was again admitted 28

[1] *Reg. Mag. Sig.*, 23 April 1623. [2] *P. C. Reg.*, new ser., v. 629. [3] Minutes of Evidence, 48. [4] *Reg. Mag. Sig.* [5] *Ibid.* [6] *Ibid.* [7] *Ibid.* [8] *Ibid.* [9] *P. C. Reg.*, new ser., i. 540. [10] Minutes of Evidence, 50. [11] *Ibid.*, 51. [12] *Reg. Mag. Sig.* [13] *Ibid.* [14] *Ibid.* [15] *Ibid.* [16] *P. C. Reg.*, viii. 398.

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March 1616.[1] He died at Bath 9 July 1616. He married (contract dated 26 January 1610[2]) Christian Hamilton, eldest daughter of Thomas, first Earl of Haddington, who survived him, and married, secondly (contract dated 9 December 1617), as his second wife, Thomas, Lord Boyd. He had issue:—

1. John, tenth Lord.
2. *Patrick*, died an infant.
3. *Helen*, married, 3 June 1634,[3] to Sir William Scott of Ardross.'[4]
4. *Margaret*, mentioned in her father's will.

X. and I. John, tenth Lord Lindsay of the Byres, was retoured heir to his father 1 October 1616, and was created EARL OF LINDSAY AND LORD PARBROATH, with remainder to him and his heirs-male bearing the name and arms of the Lords Lindsay on 8 May 1633. In the manner narrated in volume iii. page 35, he, in 1644, became seventeenth Earl of Crawford, to which title the reader is referred for further account of him, as well as of the second, third, fourth, fifth, and sixth Earls of Lindsay. On the death, on 30 January 1808, of George, twenty-second Earl of Crawford, and sixth Earl of Lindsay, the latter earldom reverted to the heirs-male of the Lords Lindsay of the Byres, to the descendants of which family we now return.

Norman Lindsay, third son of John, fifth Lord Lindsay of the Byres (see *ante* p. 398), had a charter from Sir Thomas Smyth, chaplain of Lord Lindsay's aisle in the parish church of St. Andrews, with consent of John, Lord Lindsay and Patrick his son and heir-apparent, of certain lands in Drem, on 30 May 1550;[5] and a charter of confirmation under the Great Seal of a charter by James Spens of Lathalland of the lands of Kittedie and Craigsanquhar on 31 July 1550.[6] From his father he received the lands of Kilquhis. He died before 1589. He married, first, Isobel Lundie, who died 9 September 1574;[7] and, secondly, Martha Fernie. She survived him, and was

[1] *P. C. Reg.*, x. 485. [2] *Reg. Mag. Sig.* [3] Ceres Reg. [4] *Reg. Mag. Sig.*, 29 November 1643. [5] *Haddington Book*, ii. 261. [6] *Reg. Mag. Sig.* [7] Edin. Tests., 16 November 1574.

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married, secondly, to Robert Wardlaw.[1] Issue by first marriage:—

1. *Patrick Lindsay*, of Kilquhis, tutor-at-law to his brother and sister James and Margaret in 1596, died 19 February 1596-97,[2] had precept of sasine from the Chaplain of Lord Lindsay's Aisle in St. Andrews 24 March 1590-91.[3] He married Elizabeth Arnot,[4] and had issue:—

(1) *James Lindsay* of Kilquhis, served heir to his father 3 December 1606 in an annuity of 100 merks from Lundie, and to his grandfather on 2 October 1617, in lands of Kittedie and Cragsanquhar,[5] had charter under the Great Seal of lands of Wester Kilquhis on the resignation of Thomas Akinhead, one of the Commissaries of Edinburgh, and Janet Hepburn his wife, to him and the heirs-male of his body, whom failing, his brother John, etc., whom failing, John, Lord Lindsay, and his heirs-male whomsoever, 13 February 1630.[6] He died before 30 September 1669. He married (contract dated 24 May 1625) Margaret, eldest daughter of George Paterson of Dynmure,[7] and had issue:—

i. *Patrick*, eldest son in 1630.[8]

ii. *James Lindsay* of Kilquhis, served heir to his father 30 September 1669,[9] was seised thereon 11 February 1670, disponed the lands of Wester Kilquhis in 1669, and Easter Kilquhis on 10 May 1671, to James Cheape of Rossie.[10] Married Marie Monteith, and died *s.p.*

iii. *Norman*, living in 1671, consented to sale of Kilquhis in 1671,[11] died *s.p.*

(2) *John*, living in 1630.[12]

(3) *Margaret*, to whom her uncle John was served tutor 17 May 1598.[13] She married James Bruce, brother-german to Thomas Bruce of Bathertshiells.[14]

2. *John*, of Drem and Dirleton, portioner of Drums, served tutor to his brother Patrick's children 17 May 1598, prosecuted before the Privy Council on 19 February 1611, for an infamous libel, warded in the Tolbooth of Edinburgh, and banished the kingdom in July 1611,[15] died between 1626 and 1630; married

[1] Decreet against her at the instance of James Lindsay of Kilquhis by the Lords of Council and Session on 25 February 1618 (Minutes of Evidence, 77). [2] Edin. Tests., 26 May 1598, Minutes of Evidence, 73. [3] Tynningham Charter-chest. [4] Minutes of Evidence, 78. [5] *Ibid.*, 81. [6] *Reg. Mag. Sig.* [7] *Ibid.*, 31 July 1629. [8] *Acts and Decreets*, 427, 322. [9] Minutes of Evidence, 83 and 88. [10] *Ibid.* [11] *Ibid.*, 83. [12] *Reg. Mag. Sig.*, 13 February 1630; Tutory Proceedings Sheriff Court, Fife, 17 May 1598; Minutes of Evidence, 72. [13] *Inq. Tut.*, Minutes of Evidence, 72. [14] *Acts and Decreets*, 420, 192. [15] *P. C. Reg.*, ix. 134 *et seq.*

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(contract dated at North Berwick 17 November 1599) Catherine, daughter of Mr. Adam Hume, rector of Polwarth,[1] but had no male issue.

Norman Lindsay had issue by his second marriage:—

3. *Norman*, alive in 1626, died *s.p.*, married before 1630.
4. *James*, under fourteen years of age in 1596, and died soon afterwards.
5. *Margaret*, under fourteen years of age in 1596,[2] married to Patrick Traill, brother to John Traill of Blebo.[3]

DAVID LINDSAY, third son of Sir John Lindsay, Master of Lindsay (see *ante*, p. 397), had a precept of clare constat from his brother John, sixth Lord Lindsay, as nearest heir of his immediate elder brother Patrick, on 4 November 1533,[4] and died in 1592 at a great age. He married Helen Crichton, and had issue:—

1. JOHN, an only son.[5]
2. *Helen*, married to James Colvill of Balbedie.[6]

JOHN LINDSAY of Kirkforthar was a curator to James and Margaret, children of Norman Lindsay of Kilquhis, on 23 June 1596, and died before 4 December 1599.[7] He married, first, before 1 May 1569, Marjory Pitcairn; and, secondly, in 1582, Isabella Durie, relict of David Pitcairn of Forthar, who survived him.[8] He had issue:—

1. PATRICK, his heir.
2. *David*, in Cupar, a substitute heir in charter of Kirkforthar 20 May 1586,[9] died *s.p.* 5 March 1616.[10] He married (contract dated 28 and 29 December 1591[11]) Alison, daughter of John Lindsay, burgess of Cupar.

PATRICK LINDSAY of Kirkforthar, eldest son by first marriage, vested in the fee of Kirkforthar on his grandfather's resignation, by charter from Patrick, Lord Lindsay of the Byres, 20 May 1586,[12] died 24,[13] and was buried at Kirkforthar on 27, March 1638. He married, September 1584,

[1] *Reg. Mag. Sig.*, 17 March 1635. [2] Edict for election of curators, 23 June 1596, Sheriff Court, Fife, Minutes of Evidence, 65. [3] *P. C. Reg.*, vii. 274. [4] Minutes of Evidence, 93. [5] Edin. Tests., 14 January 1576-77. [6] *Reg. Mag. Sig.*, 1 February 1591-92. [7] Edin. Tests., 3 January 1600. [8] Minutes of Evidence, 96. [9] *Ibid.*, 94. [10] St. Andrews Tests., 19 March 1616. [11] Minutes of Evidence, 98. [12] *Ibid.*, 94. [13] Markinch Register.

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Helen, daughter of David Orme of Priorlethame,[1] and had issue:—

1. *David*, had a charter of the lands of Kirkforthar to him and his spouse, from Robert, Lord Lindsay, on 9 July 1610,[2] and died *vitâ patris* before April 1631. He married, March 1609, Elizabeth, daughter of Robert Bethune of Balfour,[3] who survived him, and died at Kirkforthar 1, and was buried 7, February 1666,[4] leaving issue:—
   (1) DAVID, succeeded his grandfather.
   (2) *Robert*, died *s.p.* in or after 1639.
   (3) *Patrick*, died *s.p.* in or after 1633.
   (4) *Isobel*.[5]
   (5) *Margaret*.[6]
2. JAMES, ancestor of Eaglescairnie, aftermentioned.
3. *John*, died *s.p.* after 1622.[7]
4. *Robert*, died *s.p.* in or after 1610.[8]
5. *William*, who with his four brothers is mentioned in a charter by Robert, Lord Lindsay of the Byres, to David their brother, on 9 July 1610,[9] and in the said David's marriage-contract in 1609.

DAVID LINDSAY of Kirkforthar had precept of sasine from John, Lord Lindsay of the Byres, for infefting him and his spouse in Kirkforthar, 24 July 1632,[10] succeeded his grandfather 1628, was served heir to his grand-uncle David, in Cupar, in February 1658, and died in or after 1672. He married (contract dated April 1631) Jean, daughter of Henry Pitcairn of that Ilk,[11] and had issue:—

1. DAVID.
2. *James*, baptized at Markinch 28 December 1637, died *s.p.* before 1670.
3. *Alexander*, baptized at Markinch 20 December 1640, died *s.p.* before 1670.
4. *Margaret*, eldest daughter, married, 18 December 1660, to William Corstorphine, feuar in Kingsbarns.[12]

DAVID LINDSAY of Kirkforthar, only surviving son, had a charter on his father's resignation, from John, Earl of

[1] Edin. Tests., 26 January 1603. [2] Minutes of Evidence, 99. [3] *Ibid.*, 105. [4] Lamont's *Diary*, 155. [5] Minutes of Evidence. [6] *Ibid.* [7] *Acts and Decreets*, 364, 85. [8] Minutes of Evidence. [9] *Ibid.* [10] *Ibid.*, 102. [11] *Ibid.*, 105. [12] Lamont's *Diary*, 128.

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Crawford and Lindsay, of the lands of Kirkforthar, to him and the heirs-male of his body, whom failing, his heirs female, whom failing, his heirs and assignees, on 1 July 1651,[1] and died before 1714. He married, first, at Edinburgh, 7 June 1660, Elizabeth, daughter of Alexander Pearson of Southhall, Lord of Session;[2] she died 1665, leaving issue; and, secondly, at Markinch, November 1669, Bethia, eldest daughter of Sir James Ramsay, Bart., of Whitehall. Issue by first marriage:—

1. JOHN, of whom presently.
2. A child buried in the Greyfriars Churchyard, Edinburgh, 20 August 1663.
3. *Mr. David*, born November 1672, Minister of Cockpen, called 15 August, and ordained 17 September 1695, died at Newbattle 6 October 1745.[3] He married Euphemia, daughter of George Wilson of Plewlands, who was served heir to her nephew James Wilson in said lands in Linlithgowshire on 7 July 1749, and died 22 March 1761. He had issue:—
   (1) *David*, died young.
   (2) *George*, died young.
   (3) *John*, died young.
   (4) *George* of Plewlands, city clerk of Edinburgh, served heir to his maternal uncle, Samuel Wilson, 13 June 1769; died *s.p.* 26 January 1771.[4] Married Christian, daughter of Alexander Tytler of Woodhouselee, writer in Edinburgh, born 1707, and died at Edinburgh 14 April 1791.
   (5) *Samuel*, died *s.p.* before 1771.
   (6) *Charles*, died young.
   (7) *William*, died *s.p.* before 20 February 1754.
   (8) *Agnes*, served heir to her brother William 20 February 1754; married to John Preston of Gorton, and had issue three daughters.
   (9) *Jane*, married to John Hislop, merchant, Dalkeith, and had issue.

JOHN LINDSAY of Kirkforthar had disposition of these lands from his father 7 May 1711,[5] and died before 1740. He married (contract dated 15 September 1711[6]) Catherine, eldest daughter of Christopher Seton of Careston, and had issue:—

1. CHRISTOPHER, his heir.
2. *David*, born 4 June 1714, died young.

[1] Minutes of Evidence, 110. [2] *Ibid.*, 114. [3] *Scots Mag.* [4] Edin. Tests., 8 May 1771; *Scots Mag.* [5] Minutes of Evidence, 118. [6] *Ibid.*, 120.

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3. GEORGE, aftermentioned.
4. *John*, tutor-at-law in 1760 to his nieces, the daughters of his brother George. He married and had issue:—

   DAVID, seventh Earl.
5. *Helen*, married to George Johnston, notary public, with issue.

XVI. and VII. DAVID, sergeant of Perthshire Militia, served heir-male to his grandfather, John Lindsay, 23 August 1808, became *de jure* seventh Earl of Lindsay on the death of George, sixth Earl of Lindsay and twenty-second Earl of Crawford, in January 1808. He died at Edinburgh, and was buried in the Canongate Churchyard, 5 May 1809. He married, but had no issue.

CHRISTOPHER LINDSAY of Kirkforthar had precept of clare constat, as heir of his father, from Sir Francis Kinloch of Gilmerton, trustee for the creditors of the late John, Earl of Crawford, on 7 October 1740,[1] and died 4 July 1743.[2] He married (contract dated 29 September 1742) Amelia, only daughter of Michael Malcolm of Balbedie, and had issue an only son *Christopher*, who had a precept of clare constat, as heir of his father, from Michael Malcolm of Balbedie on 27 July 1745,[3] but died in infancy, and was succeeded by his uncle,

Captain GEORGE LINDSAY of Kirkforthar, who had a precept of clare constat from the trustee for the creditors of John, Earl of Crawford, as heir of his brother Christopher, on 9, 12, and 30 December 1754,[4] and died at Kirkforthar 14 December 1758.[5] He married, first, in 1750, Elizabeth, daughter of George Seton of Careston, who died a few months after marriage;[6] and, secondly, on 30 March 1752, Magdalen, daughter of David Falconer of Balmashanner, and had issue:—

1. *Captain David Lindsay* of Kirkforthar, only son, served an apprenticeship as a W.S. 1771, but entered the Army; died *s.p.* 14 April 1797,[7] and was succeeded by his sisters.

[1] Minutes of Evidence, 123. [2] St. Andrews Tests., 11 September 1745. [3] Minutes of Evidence, 129. [4] *Ibid.*, 132. [5] St. Andrews Tests., 16 October 1760. [6] *Family of Seton*, ii. 602. [7] St. Andrews Tests., 11 July 1799.

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2. *Katherine*, who married, first, Captain Robert Carmichael of Balinblae; and secondly, 10 August 1797, Christopher Seton of Careston, major 54th Foot, and had issue a son *George James*, who died in infancy.
3. *Georgina*, who executed an entail of the estate of Kirkforthar on 28 March 1821, whereby she bequeathed the same to George Johnston of Kedlock, whom failing, Colonel Patrick Lindsay of the Eaglescairnie family, and the heirs-male of his body, whom failing, Robert Preston and the heirs-male of his body by Euphemia, daughter of Agnes Lindsay, daughter of David Lindsay, minister of Cockpen, and John Preston, her husband. She was married, at Edinburgh, 2 February 1807, to Archibald Buchanan of Torry, Collector of Customs at Campbeltown, and died, *s.p.*, in 1830.

James Lindsay, second son of Patrick Lindsay of Kirkforthar (see *ante*, p. 405), was father of

Patrick Lindsay, as son of James Lindsay, son to Patrick Lindsay of Kirkforthar, apprenticed to William Williamson, wright in St. Andrews, on 9 January 1639; admitted burgess 10 February 1646;[1] Deacon of the Wrights in St. Andrews; and died before 21 January 1663.[2] He married, 26 June 1645,[3] Beatrix, daughter of William Daes, merchant burgess of St. Andrews. She died in October 1681,[4] and had issue:—

1. *Hugh*, baptized at St. Andrews 13 September 1649, died in infancy.[5]
2. Patrick, his heir.
3. *James*, baptized at St. Andrews 3 February 1659, died *s.p.*[6]
4. *Beatrix*, mentioned in her father's will, dated 11 August 1660.[7]

Patrick Lindsay, baptized at St. Andrews 8 February 1652; schoolmaster at Pittenweem; afterwards rector of the Grammar School of St. Andrews; cognosced heir of his father before the bailies of St. Andrews 9 February 1687;[8]

[1] Minutes of Evidence, 161. [2] *Ibid.*, 165. [3] *Ibid.*, 162. [4] *Ibid.*, 167. [5] *Ibid.*, 162. [6] *Ibid.*, 163. [7] *Ibid.*, 164. [8] *Ibid.*, 168.

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admitted burgess of that burgh 13 June 1698;[1] and died about 1722. He married Janet, daughter of John Lindsay of Newton of Nydie, and had issue:—

1. PATRICK, his heir.
2. *John*, born at St. Andrews 21 July 1692, died young.[2]
3. *Alexander*, born at St. Andrews 29 March 1702, died young.[3]
4. *Beatrix*, eldest daughter, had a disposition from her grandmother, Beatrix Daes, on 3 August 1681.[4]

PATRICK LINDSAY, baptized at St. Andrews 10 March 1686; was an officer in Sir Robert Rich's Regiment of Foot in Spain until the peace of Utrecht, when he settled in business in Edinburgh as an upholsterer, and was admitted a burgess 10 September 1722. He was Lord Provost of the city 1729-31, and again 1733-35, and member of Parliament 1734-41; Governor of the Isle of Man. He was cognosced heir of his father before the bailies of St. Andrews 10 May 1744;[5] was served heir to his mother 30 August 1748; and died at the Canongate 20 February 1753.[6] In 1733 he published at Edinburgh *The Interest of Scotland Considered.* He married, first (contract dated 22 June 1715[7]), Margaret, daughter of David Monteir, merchant, Edinburgh; secondly, Janet, daughter of James Murray of Polton, who died *s.p.* November 1739;[8] and, thirdly, 7 May 1741, Catherine Lindsay, youngest daughter of William, eighteenth Earl of Crawford. She died 20 April 1769.

Issue by first marriage:—

1. PATRICK, his heir.
2. JOHN, aftermentioned.
3. *James*, captain in the East India Company's naval service, died in the East Indies, October 1763, unmarried.
4. *Mary*, unmarried in 1778.
5. *Janet*, married James Anderson of Monthrive, and had issue two sons and a daughter.

PATRICK LINDSAY, merchant in Edinburgh; Deputy

[1] Minutes of Evidence, 170. [2] *Ibid.* [3] *Ibid.*, 171. [4] *Ibid.*, 165. [5] *Ibid.*, 168. [6] Edin. Tests., 14 January 1755; *Scots Mag.* [7] Minutes of Evidence, 173. [8] *Scots Mag.*

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Secretary for War 1741; served heir to his father 21 January 1754; died 20 October 1801, aged eighty-two. He married (contract dated 7 July 1747) Margaret, only child of Thomas Haliburton of Eaglescairnie, and in her right succeeded to that estate. She died 20 August 1819, aged ninety, and had issue:—

1. *Catherine*, married, 23 July 1773, to Alexander, tenth Lord Blantyre, and died at Lennoxlove 29 December 1822.
2. *Janet*, married, at Edinburgh, 18 October 1794, to her cousin, Alexander Anderson of Kingask, son of James Anderson of Monthrive, who died 26 November 1818, aged sixty-seven. She died 17 December 1825, aged sixty-eight.
3. *Jean*, died, unmarried, at Lennoxlove, 14 September 1821, aged sixty-three.

John Lindsay, his brother, was lieut.-colonel 53rd Foot, and died at Musselburgh 8 April 1780. He married, at Edinburgh, 20 December 1776, Margaret Maria, second daughter of Charles Hackett Craigie of Hawhill; she died at Millhill, Musselburgh, 16 January 1823, and had issue:—

1. Patrick, eighth Earl.
2. *Anne*, only daughter, died, unmarried, 7 January 1851.

XVII. and VIII. Sir Patrick Lindsay, only son, born 24 February 1778, lieutenant 78th Regiment, captain 39th, lieutenant-colonel 39th, major-general 10 January 1837, distinguished himself at the reduction of Coorg in India, K.G.H. 1834, K.C.B. 19 July 1838, and after forty-four years of active service in almost every quarter of the globe he died unmarried at Portobello 14 March 1839, and was buried at Inveresk. On the death of Sergeant David Lindsay he became heir-male of the Kirkforthar branch, also of the body of Patrick, fourth Lord Lindsay of the Byres, heir-male general of John, first Earl of Lindsay, and John, first Viscount Garnock, and Lord Lindsay of the Byres, and as such *de jure* eighth Earl of Lindsay. He prepared a petition to the King for recognition in these titles, but died before any proceedings had been taken, and the representation of

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the family devolved on the descendants of William Lindsay of Pyotston.

WILLIAM LINDSAY of Pyotston, second son of Patrick, fourth Lord Lindsay (see *ante*, p. 396), had a charter of the lands of Pyotston from his father, in succession to his brother David, killed at Flodden, on 19 May 1514, which was confirmed to him and Isobel Logan his spouse by John, Lord Lindsay of the Byres, on 26 May 1529,[1] and died before March 1546-47.[2] He married Isobel Logan, who survived him, and died before 16 December 1562,[3] and had issue:—

1. DAVID, his heir.
2. *Patrick*, burgess of Crail, entered into a contract with his mother and David his brother whereby he renounced his right to uplift the rents of their mother's terce-lands, on 23 February 1544;[4] died *s.p.* 1577.[5]
3. *Harry*, died *s.p.*,[6] after 1 July 1584.
4. JOHN, aftermentioned.
5. *Alexander*, youngest son, died after 1584.[7]
6. *Jean*, who with her five brothers is mentioned in a process by their nephew James against Thomas Tullois of Pitkennetie 28 July 1574,[8] married John Melville of Carnbee, and was his widow in 1572.[9]

DAVID LINDSAY of Pyotston was cognosced heir of his father by the bailies of Cupar, and had sasine as such in lands and tenement on the south side of the Bonnygate of Cupar 6 May 1550.[10] He signed a bond to serve the King and Queen 12 September 1565,[11] was one of those delated for the murder of David Rizzio 10 March 1566,[12] gave surety to enter ward on ten days' warning 19 April 1566,[13] and died 1599.[14] He married, first, Elizabeth, daughter of Sir David Barclay of Cullerny, who obtained a decree of divorce against him on the ground of their marriage being against the Canon Law, 21 June 1550;[15] secondly, Alison Dundas,

[1] *Reg. Mag. Sig.* [2] *Acts and Decreets*, 12, 155. [3] *Ibid.*, 25, 135. [4] Books of Council and Session. [5] Edin. Tests., 9 May 1588. [6] Sheriff Court Books of Fife, 28 July 1576. [7] *Reg. Mag. Sig.*, 3 February 1588-89. [8] Minutes of Evidence, 123. [9] *Acts and Decreets*, 49, 130. [10] Minutes of Evidence, 221. [11] *P. C. Reg.*, i. 368. [12] *Ibid.*, 437. [13] *Ibid.*, 445. [14] *Acts and Decreets*, 304, 121, but see *ibid.*, 312, 155, where he is mentioned, evidently erroneously, as alive in June 1602. [15] *Liber Officialis St. Andrews*, 100 and 104.

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with issue; and thirdly, Grizell Melville, by whom he had no issue:—

1. PATRICK.
2. *James*, executor of his uncle Patrick,[1] died *s.p.*
3. *Juda*, whose marriage-contract is dated 18 January 1591-92.[2]

PATRICK LINDSAY, younger of Pyotston, who had a disposition from his father during his lifetime of these lands, had charters under the Great Seal of tenements in Cupar 10 February 1582 and 3 February 1589, but predeceased his father 26 February 1589-90.[3] He married Margaret Traill, who survived him and married, secondly, Archibald Hamilton. He had issue.

WILLIAM LINDSAY of Pyotston, only son, had a charter to him and his spouse, on his own resignation, by Robert, Lord Lindsay, 8 October 1612. An action against him as heir to David Lindsay his grandfather in respect of the non-entry of certain lands, was brought by Mr. Patrick Lindsay in Cupar in 1616.[4] He died before 23 June 1640. He married Agnes, daughter of William Ballingall of that Ilk, and had issue.

WILLIAM LINDSAY of Pyotston, only son, was seised as heir of his father on precept of clare constat by John, Lord Lindsay of the Byres, on 23 June 1640;[5] died after 17 April 1670. He married Margaret Seton of Parbroath, and had issue:—

1. *George*, died *vitâ patris*, *s.p.*
2. *David*, a witness to obligations 4 December 1661 and 12 February 1668, died *s.p.* before 31 November 1669, when Pyotston was sold by decree of Court for creditors.

JOHN LINDSAY, merchant, burgess of Cupar, fourth son of William Lindsay, first of Pyotston (see *ante*, p. 411), had sasine of three acres arable land in Nether Bonfields, Cupar, to him and his spouse 9 February 1570,[6] and died before 12 July 1580. He married Janet Williamson, who married,

[1] Sheriff Court Books of Fife. [2] Referred to in Minutes of Evidence, but her husband's name is not given. [3] *Acts and Decreets*, 179, 337. [4] Minutes of Evidence, 226. [5] *Ibid.*, 227. [6] *Ibid.*, 247.

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secondly, George Meldrum, burgess of Crail,[1] and died before 27 May 1604,[2] leaving issue:—

1. PATRICK, only son, his heir.
2. *Alison*, married, first, to David, son of John Lindsay of Kirkforthar (discharge for 300 merks, being her marriage portion, 14 May 1600); he died 5 March 1616;[3] and, secondly, to Arthur Gordon; he died August 1641.[4]
3. *Janet.*[5]

PATRICK LINDSAY, born 1571, had sasine, as son and heir of his father, in tenements in Cupar 12 July 1580; had charter of confirmation under the Great Seal, 3 February 1588, of a charter by George Meldrum, burgess of Crail, of 6 acres of land in the Castle field of Cupar, dated 21 July 1584;[6] was Commissary of St. Andrews; purchased the lands of Wolmerston, near Crail, from Sir Archibald Primrose, 6 February 1621,[7] had sasine thereof 21 June 1621; was charged, with his sons John and Robert, with attacking Patrick Mauld in St. Andrews 31 March 1635,[8] and died June 1651.[9] He married, first, Margaret Lundie of Lundie; and second, Elizabeth, daughter of Peter Arnot of Balcormo, and widow of David Lentran of Newgrange, who died 18 June 1648,[10] aged seventy-six. Had issue:—

1. JOHN, his heir.
2. *Robert*, charged with his father and brother to keep the peace 31 December 1634.[11]
3. *Catherine*, married to Dr. John Douglas, minister of Crail.

He is also said to have had

4. *Alison*, married to Joseph Douglas of Edrington.

JOHN LINDSAY of Wolmerston, fined 3300 merks by Parliament in April 1647, was served heir to his father, 16 June 1657, in the lands of Wolmerston, had precept from Oliver Cromwell as heir of his father 25 September 1657 in same,[12] and died in February 1666 and was buried at Crail on 20

[1] *Reg. Mag. Sig.*, 3 February 1588-89. [2] *Ibid.*, 252. [3] St. Andrews Tests., 9 March 1616. [4] *Ibid.*, 11 October 1643. [5] Minutes of Evidence, 98. [6] *Ibid.*, 249. [7] *Reg. Mag. Sig.*; Minutes of Evidence, 253. [8] *P. C. Reg.*, new ser., v. 535. [9] Minutes of Evidence, 256. [10] Arnot MS. History, Lyon Office. [11] *P. C. Reg.*, new ser., v. 452. [12] Minutes of Evidence, 260.

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of said month. He married Elizabeth, daughter of David Lentran of Newgrange. She died 30 September 1687,[1] and had issue:—

1. Patrick, his heir.
2. *John*, killed at the battle of Worcester fighting for King Charles, 1651, *s.p.*
3. *David.*
4. *George*, married Eupham, daughter of John Arnot, Commissary Clerk of St. Andrews, and relict of Martin, second son of James Corstorphine of Balcaithly.
5. *James.*
6. *William.*
7. *Elizabeth*, married, 7 September 1660, to James Corstorphine of Nydie.

Patrick Lindsay of Wolmerston, taken prisoner by the Cromwellians at the battle of Worcester 1651, was appointed Commissary of St. Andrews 1660, and died 13 March 1689. He married 18 (contract dated 17) June 1657, Catherine, only daughter of Robert Bethune of Bandon.[2] She died 6 March 1730, and had issue:—

1. John, his heir.
2. *William* of Feddinch, married, 1723, Margaret, daughter of Ronald Wemyss of Lathocker, widow of James Moncrieff of Sauchope, and had issue a son *William*, and three daughters.
3. *James*, baptized 19 January 1666.[3]
4. *Robert*, baptized 12 August 1667.
5. *George*, baptized 9 September 1673.
6. *Patrick*, baptized 4 September 1674.
7. *David*, baptized 12 September 1678.
8. *Alexander*, baptized 26 April 1681.
9. *Elizabeth*, married, 29 October 1685, to George Seton of Careston.
10. *Margaret.*
11. *Helen*, baptized 12 August 1663; married, 14 July 1687, to Mr. John Wood, minister of St. Andrews, and had issue.

[1] Arnot MS. History, Lyon Office. [2] Minutes of Evidence, 257. [3] All these children baptised at St. Andrews.

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12. *Mary*, baptized 28 October 1670; married, 14 August 1694, to John Craigie of Dunbarnie, and had issue.
13. *Catherine*, baptized 9 August 1672; married, 14 September 1691, to Mr. William Hardie, minister of Crail, afterwards of St. Andrews; and died before 1705.
14. *Euphan*, baptized 22 May 1677.
15. *Ann*, born 1680; married, 23 January 1702, to Mr. Robert Fairweather, minister of Crail; and died June 1704, leaving issue.

John Lindsay of Wolmerston, after this called Wormiston, born 14 January 1659; admitted Advocate 6 July 1681; Commissary of St. Andrews; was cited as next heir to William and George Lindsay of Pyotston, in a process of ranking and sale of that estate, at the instance of Mr. George Henry, minister of Corstorphine, in which decree was pronounced 21 November 1699.[1] He executed an entail of Wormiston 21 December 1692,[2] and died 23 September 1715. He married, 22 June 1686 (contract dated 8 and 22 June 1686), Margaret, eldest daughter of George Haliburton of Denhead, Bishop of Aberdeen;[3] she was born 2 January 1665, died 27 February 1751, and had issue:—

1. *Patrick*, born 2, died 8, July 1688.
2. George, his heir.
3. *John*, born 2 July 1694, merchant, Crail; died 12 October 1751 at Albany, New York; married, and had issue.
4. *Patrick*, born 18 March 1699; proclaimed King James at St. Andrews in 1745, and was executed at Brampton 21 October 1746: ancestor of the Lindsays of Leith.
5. *Agnes*, born 10 May 1687; married, at Wormiston, 13 June 1706, to John Macgill of Kemback; and died at St. Andrews 28 October 1770. He died 19 April 1762.
6. *Catherine*, born 22 November 1689; died, unmarried, before 1706.

George Lindsay of Wormiston, born 4 July 1691; admitted Advocate 25 February 1713; Commissary of St. Andrews; was served heir to his father 23 October 1716; and died 10 February 1764.[4] He married at Cassingray, 12 September

[1] Minutes of Evidence, 233. [2] *Ibid.*, 268. [3] *Ibid.*, 261. [4] *Scots Mag.*

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1721 (contract dated 31 August 1721), Margaret, eldest daughter of Thomas Bethune of Kilconquhar;[1] she died 14 October 1782, and had issue:—

1. *John*, born 5 August 1722, died 15 September 1723.
2. *Thomas*, born 7 October 1728, died young.
3. *John*, of Wormiston, born 27 November 1731; admitted Advocate 2 January 1755; served heir to his father 11 July 1764; succeeded to Kilconquhar, and assumed the name of Bethune under an entail of his maternal uncle, David Bethune, 2 October 1779; and died, unmarried, 25 May 1789.
4. *David*, born 28 February 1733.
5. *William*, born 5 September 1734, captain in the East India Company's navy.
6. *Henry*, born 16 November 1735, merchant in Edinburgh, succeeded his brother John in Wormiston 1789, and sold the same to his brother Patrick in 1792. He assumed the name of Bethune in 1779; was served heir-male to William Lindsay of Pyotston 2 July 1810; and died at Kilconquhar 11 March 1819, aged eighty-three. He married, first, Elizabeth, daughter of Thomas Kyd, merchant, and had issue; and, secondly, November 1761, Margaret, daughter of Martin Eccles, M.D., Edinburgh. She died 7 January 1823. Issue by first marriage:—

   (1) *Rachel*, who married, at Edinburgh, 8 September 1787, Lieutenant-General James Dickson, H.E.I.C.S.

   Issue by second marriage:—

   (2) *Martin Eccles*, major in the Army, Deputy Commissary-General of the Forces in North Britain, died *vitâ patris* at Edinburgh 22 July 1813. He married Margaret Augusta, daughter of General James Tovey, and had issue:—

   i. HENRY, ninth Earl of Lindsay.
   ii. *Alexander*, lieutenant E.I.C.S., died *s.p.*
   iii. *John Scott*, died *s.p.*
   iv. *Ann Craigie*, died, unmarried, 2 May 1835.
   v. *Elizabeth Janet*, died, unmarried, 4 June 1837.
   vi. —— a daughter, born in 1792.
   vii. *Margaret Caroline*, married, 25 December 1814, to Patrick Orr, W.S.; she died 4 August 1861; he died 19 July 1848.
   viii. *Harriet*, married, 5 June 1820, to Warren Hastings Sands, W.S.; he died 1 February 1874.

[1] Minutes of Evidence, 273.

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ix. *George*, Lieutenant R.N., died *s.p.*
(3) *John Scott*, second son, apprentice W.S. 1790.
(4) *George*, Brigade Major; married, 28 February 1807, ——, only daughter of Forster Hill Forster of Forrest, co. Dublin.
(5) *David Bethune*, captain 4th N.I. Bengal; died 20 October 1806.
(6) *Elizabeth Balcarres*, died 17 November 1793.
(7) *Margaret*, died at Edinburgh 19 August 1792.
(8) *Jane*, died at Portobello 28 June 1860, aged ninety-two.

7. **George**, born 6 February 1737; apprenticed to Henry Scrymgeour, W.S., in 1754; died at Havannah, unmarried, 9 September 1762.

8. **Patrick**, of Coats, born 12 September 1745; captain of an East Indiaman; purchased Wormiston from his brother Henry 8 June 1792;[1] and died in 1823. He married, at Edinburgh, 6 January 1790, Mary, daughter of James Ayton of Kippo; she died 8 November 1809, and had issue:—

(1) *George*, born 6 February 1792.
(2) *James*, born 28 June 1793.
(3) *Patrick*, born 8 August 1796.
(4) *Alexander*, born 26 September 1797, died 15 May 1799.
(5) *David Ayton* of Wormiston, born 31 December 1798; died 5 May 1872; married, in 1824, Jane Emilia, daughter of John Ayton of Kippo, Fife; she died 22 November 1872, and had issue:—
i. David Clark, eleventh Earl of Lindsay.
ii. *Alexander Monypenny*, born 7 April 1836, admitted Advocate 16 July 1861, and died *s.p.* 22 March 1905. He married, 13 November 1872, Mary, daughter of Alexander Sprott of Brighouse, Kirkcudbright; she died in 1902.
iii. *Jane*, married to Captain Reeve, and died in 1891.
iv. *Mary*, died, unmarried, 1885.
v. *Elizabeth*, married to Edward Cliffe, and had issue.
vi. *Emilia*, married, 29 April 1862, to Eric Rudd (*see title* Duffus), and died 2 December 1901. He died 3 January 1868, and had issue:—
(i) *Eric de Sioblade Sutherland Rudd*, born 8 May 1864; married, 26 August 1903, Jessie Forrester, youngest daughter of James M'Arthur Moir of Hillfoot, and has issue:—
a. *Eric Sinclair James Sutherland*, born 25 July 1904.
b. *Ian Forrester Sutherland*, born 13 July 1906.
(ii) *Henry Ayton Lindsay Rudd*, born 9 June 1867.

[1] Minutes of Evidence, 308.

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vii. *Margaret*, married, in 1875, to Archibald Roden Hogg, Solicitor, Edinburgh, with issue.

(6) *Stuart*, born 14 July 1804.

(7) *Henry Bethune*, born 27 October 1809, major 3rd Bengal Cavalry, died 22 June 1856, married, 9 March 1837, Elizabeth, daughter of Colin Campbell, M.D., and had issue:—

i. *Henry George*, born 3 December 1843, married, in 1886, Jane Edith, daughter of Edward Fisher of Springdale, and has issue:—

(a) *Jane Kathleen Mary*, born 14 March 1888, and

(b) *Constance Norah Edith*, born 17 November 1889.

ii. *Edward Campbell*, born 7 March 1853, died unmarried, in 1892.

iii. *Jessie Frances*.

iv. *Emily Florence Henrietta*.

v. *Constance Madelene Helen*, married, 12 September 1877, to Sharples Fisher of Springdale, Huddersfield.

(8) *Margaret*, born 8 January 1795; married, 18 October 1839, to James Moncrieff Melville of Hanley, W.S., and died in 1863. He was born 28 September 1793, and died 28 September 1872.

(9) *Elizabeth*, born 6 October 1790.

(10) *Mary Ann Leslie*, born 19 November 1800.

(11) *Anne Alice*, born 27 May 1802.

9. *Anne*, born 9 September 1723.

10. *Margaret*, born 10 September 1724, died 29 January 1725.

11. *Catherine*, born 17 October 1725, died 13 November 1727.

12. *Alison*, born 12 April 1727.

13. *Elizabeth*, born 5 June 1730.

14. *Agnes*, born 11 June 1739, died 19 May 1741.

15. *Bethune*, born 1 April 1742, major, died at Falmouth 1770.

XVIII. and IX. Sir Henry Lindsay Bethune, Baronet, of Kilconquhar, *de jure* ninth Earl of Lindsay, eighth Viscount Garnock, and eighteenth Lord Lindsay of the Byres, born 12 April 1787, assumed the surname of Bethune for estate of Kilconquhar, and was knighted 20 July 1832. He entered the East India Company's service, and was sent to Persia to assist Abbas Mirza, the Crown Prince, in organising the artillery of that country. He afterwards was the accredited agent at the Court at Teheran, and was created for his services a Baronet of the United Kingdom on 7 March 1836. In 1839 he became, on the death of Sir Patrick Lindsay, *de*

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jure ninth Earl, and died at Teheran 19 February 1851. He married, at St. James's, Westminster, 9 July 1822, Coutts, daughter of John Trotter of Dyrham Park; she died at Kensington 31 December 1877, and had issue:—

1. JOHN, tenth Earl.
2. *Henry James Hamilton*, born 8 June 1834, died at Marseilles 5 July 1862, *s.p.*
3. *Martin William*, born 17 June 1843, died 15 September 1859, *s.p.*
4. *Anne Catherine*, born 3 August 1823, married, 29 April 1856, to John Thomas Campbell, only son of Major John Campbell of the 74th Foot, and died 23 March 1903, leaving issue.
5. *Stewart Lindsay*, married, 7 November 1848, to Hector, third Earl of Norbury, who died 26 December 1873; she died 5 March 1904, leaving issue.
6. *Caroline Felicie*, born 6 August 1828, died, unmarried, 30 January 1891.
7. *Coutts*, born 14 April 1839, married, 25 July 1878, James Stuart Trotter, lieutenant R.N., third son of Archibald Trotter of Dreghorn.
8. *Charlotte Jane*, died unmarried 28 September 1855.

XIX. and X. JOHN TROTTER, tenth Earl of Lindsay, born 3 January 1827, established his right to the honours before the House of Lords on 5 April 1878, was elected a Representative Peer June 1885, and died *s.p.* at Kilconquhar 12 May 1894. He married, 18 July 1858, Jeanne Eudoxie Marie, daughter of Mons. Jacques Victor Duval of Bordeaux; she died at Queen's Gate, London, 24 June 1897.

XX. and XI. DAVID CLARK BETHUNE, eleventh Earl of Lindsay, born 18 April 1832, succeeded his cousin 1894, married, 15 August 1866, Emily Marian, daughter of Robert Crosse of Doctors' Commons, and widow of Captain Edmund Charles Barnes, of H.M. St. Helena Regiment, and has issue:—

1. *Reginald Bethune*, Viscount Garnock, born 18 May 1867, captain East Riding of Yorkshire Imperial Yeomanry 1905, late major 8th Hussars, served in South Africa 1901-2, married, 16 October 1892,

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Beatrice Mary, elder daughter of John Shaw of Welburn Hall, Yorkshire.

2. *Archibald Lionel*, born 14 August 1872; married, 31 January 1900, Ethel, daughter of William Austin Tucker of Boston, U.S.A., and has issue,

   William Tucker, born 28 April 1901.

3. *Muriel Maud Stewart*, born 1 August 1874; married, 30 September 1896, to Watkin James Yuille S. Watkins of Shotton Hall, Shropshire, and has issue.

Creations.—Lord Lindsay of the Byres, 1445; Viscount of Garnock, Lord Kilbirnie, Kingsburn, and Drumry, 26 November 1703; Earl of Lindsay and Lord Parbroath, 8 May 1633.

Arms (not recorded in Lyon Register).—Gules, a fess chequy argent and azure, for *Lindsay*; in chief three mullets argent, for *Mure* of Abercorn.

Crest.—A swan, with wings expanded proper.

Supporters.—Two griffins gules, armed and membered or.

Motto.—*Live but dreid*; and on a scroll proceeding out of the helmet, *Je ayme.*

[F. J. G.]

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LIVINGSTON, EARL OF LINLITHGOW

THE surname Livingston has been variously derived, and a Celtic origin has been ascribed to it by a recent writer.[1] It is probable, however, that the family here dealt with was of Saxon origin. Leving, or Leuing, appears to have settled in Scotland under King Alexander I., and certain lands near Linlithgow granted to him became the vill or town of Leving or Levington. There was also a Levington in the West of Scotland, and Livilands (anciently Levinglands), near Stirling, is obviously the lands of Leving. It appears that the church of the vill of Leving had been gifted by Leving himself to the abbot and canons of Holyrood, saving the rights of the see of St. Andrews.[2] The date of the charter is uncertain. Singularly enough, the church of Livingston is not mentioned in King David's great charter to Holyrood,[3] but that the original grant was made before this confirming charter of the lands, rights, and privileges of the abbey seems to be proved by another charter of the Bishop of St. Andrews,[4] which includes the church of Livingston with half a carucate of land, and is

[1] The late Dr. Alexander Macbain of Inverness; David Livingstone, the famous African missionary and traveller was descended from the Mac-an-Leighs of Appin, followers of the house of Appin. [2] *Holyrood Charters*, 10. [3] *Ibid.*, 1. [4] *Ibid.*, 2.

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witnessed by Thurstan, son of Leving.[1] This Thurstan confirms his father's gift (with the addition of a toft to the half carucate of land previously granted) in free and perpetual alms '*sicut pater meus iis dedit.*' Alexander and William, sons of Thurstan, are witnesses to a charter in the reign of King William,[2] but here the line is broken. Douglas[3] is clearly wrong in making Thurstan's son Alexander the father of Sir William Livingston of Gorgyn, who was not a knight, and whose charter of Gorgyn is dated 1328, not 1263, while the true date of the Lennox charters witnessed by Sir William Livingston (son of the Laird of Gorgyn) is 1356, instead of 1270 as given by Douglas.[4] These errors vitiate the descent attributed to the Livingstons of Livingston, but there need be little doubt that from this family came the ancestors of the Earls of Linlithgow. The *Ragman Roll* contains the names of Sir Andrew and Sir Archibald de Livingston, both of whom attended the Parliament of Berwick-on-Tweed 28 August 1296. Sir Andrew was Sheriff of Lanark, and Sir Archibald Sheriff of Linlithgow, and afterwards of Stirling, and these Livingstons were probably near relatives.[5] As Sheriff of Stirling Sir Archibald held an inquisition in 1304 on the lands of the deceased Sir John de Calentir, which were afterwards forfeited by Sir Patrick Callendar, and coming into the possession of Sir William Livingston, Sir Archibald's kinsman, gave the territorial designation of Callendar to this branch of the family. Sir Andrew Livingston, Sheriff of Lanark, married Elena, whose surname is unknown.[6] By her he had a son,

William Livingston,[7] who, before 1328, acquired the lands of Gorgyn near Edinburgh. In a charter granting to the

[1] Sir Archibald Lawrie, in fixing the date of Leving's gift near the close of David's reign (*Early Scottish Charters*, 331), has overlooked the second charter which, as he remarks, was granted before King David gave the great charter to Holyrood, from which it differs in some details (*ibid.*, 336). Hugh, son of Leving, appears in two charters dated *circá* 1270 as having held the lands of Balbard (now Balbarton) in Fife from the Abbey of Dunfermline; *Reg. de Dunf.*, 212, 213. [2] *Liber Prioratus de S. Andree*, 180. [3] *Peerage*, ii. 123. [4] Fraser, *The Lennox*, ii. 410-411. [5] Mr. Bain describes Sir Andrew's seal as follows: 'Lozenge shape, a wolf (?) passant to sinister, a tree behind.' Sir Archibald's homage seal has been lost, but the fragments attached to an indenture of his as Sheriff of Linlithgow bear the figure of a Bacchante (?) with a thyrsis in her left hand; *Cal. Doc. Scot.*, ii. 327. [6] *Livingston Book*, 9. [7] *Reg. de Newbottle*, 34.

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monks of Newbottle the liberty of grinding any grain grown on the lands of Easter Craig at his mill of Gorgyn, he states that he grants this privilege for the weal of his soul and the souls of Margaret his wife and their children, as well as for the weal of the souls of his father Andrew, his mother Elena, and all his predecessors and successors.[1] In this charter he is designated 'dominus de Drumry.'[2] By his wife Margaret he had a son and heir,[3]

Sir William Livingston, founder of the house of Callendar. He was Sheriff of Haddington in 1339,[4] and in the following year he was one of the Scottish hostages sent to England as security for Randolph, Earl of Moray, then a prisoner.[5] He must have been released shortly afterwards, as he was at the siege of Stirling by the Steward of Scotland in 1341, the Chamberlain's account for 1342 showing that 160 marts were sent to him during the siege, doubtless for the subsistence of the men under him.[6] During the period of the same account (22 May 1341 to 11 June 1342) he went abroad on the business of the kingdom, and was paid a sum of £6, 13s. 4d. for loss sustained by him in his equipment for the journey.[7] In 1345-46 he obtained a grant of the barony of Callendar in the county of Stirling, then in the hands of the Crown by the forfeiture of Patrick de Callendar, 'whose only daughter and heiress, Christian, he took to wife the better to fortify his title thereto.'[8] Livingston shared the fate of King David at the battle of Neville's Cross, 17 October 1346, being taken prisoner by the English, and it was probably before the battle commenced that he was knighted by the King. Released shortly afterwards, he was appointed one of the Commissioners to

[1] *Reg. de Newbottle*, 34. [2] Douglas says that in an old manuscript account of the family he is designed of Easter Wemyss, and that he married a daughter of Sir John Erskine of Erskine. [3] John Livingston of Drumry, who entered into an agreement with Symon Chapman, a burgess of Lanark in 1364 (*Reg. Mag. Sig.*, fol. vol. 56) may have been a second son, who got Drumry from his brother Sir William when the latter obtained Callendar and Kilsyth. He was the founder of the family of Drumry and East Wemyss. [4] *Exch. Rolls*, i. 472. [5] *Fœdera*, v. 200, 202, 268. [6] *Exch. Rolls*, ii. 513. [7] *Ibid.*, 507. [8] Crawfurd's *Peerage*, 275. The descendants of this marriage quartered the arms of Calendar—a bend betwixt six billets or on a field sable—with those of Livingstone, argent, three cinquefoils within a double tressure flowered and counter-flowered with fleur-de-lys vert (Nisbet's *Heraldry*, ii. 19).

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negotiate for the ransom of King David, and had a safe-conduct from Edward III. (7 December 1347) to travel to London with a suitable retinue for the purpose of conferring with the royal prisoner. The negotiations fell through at that time, but were renewed in July 1354. In a list of hostages embodied in the preliminary articles of the treaty, the eighth name is William, son of Sir William Livingston of Callendar.[1] Sir William himself affixed his seal to the treaty of Berwick-on-Tweed 5 October 1357, by which peace was concluded, and the King restored to his country. One of the hostages for the payment of the King's ransom of 100,000 merks was Patrick, son and heir of Sir William Livingston, he having apparently been substituted for his younger brother William. Patrick is supposed to have died in England, as nothing more is known of him. In 1358-59 Sir William Livingston was Sheriff of Lanark,[2] and on 13 October 1362 he obtained from the King a charter of the lands of Kilsyth, which on the forfeiture of his father-in-law had been donated to Malcolm Fleming, Earl of Wigton, and conveyed by him to Robert de Vall, whose daughter and heiress dying in England, the lands reverted to the Crown.[3] Sir William died prior to 30 November 1364.

By his wife Christian de Callendar he had five sons:—

1. *Patrick*, whose fate is mentioned above.
2. WILLIAM, who succeeded.
3. JOHN, who succeeded his brother.
4. *Walter*.[4]
5. *William*.[5]

WILLIAM Livingston of Callendar is said by Douglas to have been the only surviving son and successor of his father, and to have been succeeded by his only son John. The extreme improbability of this statement, in view of what is known of John's career, induces Mr. E. B. Livingston to remark that it is more likely that Sir John, instead of being the son of the younger Sir William, was an elder brother, and that he, and not the latter, succeeded to the Callendar estates on the decease of the senior Sir William.[6] As, however,

[1] *Fœdera*, v. 792. [2] *Exch. Rolls*, i. 581. [3] *Reg. Mag. Sig.*, fol. vol. 22.
[4] *Livingston Book*, 12. [5] *Ibid.* [6] *Ibid.*

the custumars of Edinburgh, in their account rendered on 30 November 1364, include in their expenditure a payment of £3, 6s. 8d. made to William of Levyngistoun de Kalenter, by gift of the King, towards the funeral of his father,[1] it would appear from the territorial designation here given to William that he had succeeded his father as Laird of Callendar, and therefore was the eldest surviving son. He probably died unmarried, but at what time is not known.[2] A Lennox charter, confirmed by David II. 26 January 1371,[3] is witnessed by William de Lewynstoun, *miles*, but the original charter is undated, and as the grantee, Donald, sixth Earl of Lennox, died in or before the year 1364,[4] it is clear this witness was the preceding Laird of Callendar. There is no evidence that his son was knighted.

Sir John Livingston of Callendar, who succeeded, is stated by the Peerage writers to have been the son of the previous Laird, but it is more probable that he was a younger brother.[5] He had succeeded to the family estates before his second marriage in 1381, and was knighted between that date and 13 February 1389-90, when he appears with the title as an arbiter in a dispute between the Abbot of Cambuskenneth and William Fentoun.[6] In the Act of Parliament passed in January 1399, appointing the Duke of Rothesay King's Lieutenant for three years, Sir John Livingston is named as one of the Duke's Council.[7] He appears to have been among the feudal Barons whose support to the Crown was secured by the payment of annuities out of the Royal Exchequer. Sir John was one of the auditors of the accounts of custumars and bailies in the beginning of July 1402, and of the account of Robert, Duke of Albany, Chamberlain of Scotland, on the 13 of the same month.[8] He was killed at the battle of Homildon Hill, 14 September 1402.

[1] *Exch. Rolls*, ii. 128. [2] Douglas says he died in the end of the reign of Robert II., but no proof is cited. [3] *Reg. Mag. Sig.*, i. No. 371. [4] *The Lennox*, i. 243. [5] A difficulty arises from a William of Livingston being named as an uncle of John's son Archibald after the death of John, in a letter of curatory said to be dated in 1400 (*Acta Dom. Conc.*, MS. xviii. 90), but this may be explained by two brothers having the same Christian name, which was not unusual at the period. [6] *Cart. of Cambuskenneth*, 259. [7] *Acta Parl. Scot.*, i. 572. [8] *Exch. Rolls*, iii. 539, 559.

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Sir John married, first, a daughter (name unknown) of John Menteith of Kerse, by whom he had four sons:—

1. Sir Alexander, who succeeded.
2. *Robert*, ancestor of the first family of Livingston of Westquarter and Kinnaird.[1]
3. *John*, ancestor of the Livingstons of Barnton, etc.
4. *James*, who is mentioned as evading the customs of Linlithgow in the export of wool in 1416-17.[2]

Sir John married, secondly (contract 15 August 1381), Agnes, daughter of Sir James Douglas of Dalkeith, who survived him and married John Gordon of that Ilk, without issue.[3] By her he had a son:—

5. *William*, ancestor of the Viscounts of Kilsyth. (*See that title.*)

Sir Alexander Livingston of Callendar, the first of his family to attain a position of power and influence in the government of Scotland, had a share in the negotiations for the release of James I. from captivity in England, and was knighted for his services. He sat on the assize at Stirling, 27 May 1425, which condemned Murdoch, Duke of Albany, his son and father-in-law, the aged Earl of Lennox. He continued to enjoy the royal favour till the assassination of the King by Sir Robert Graham and his accomplices. The possession and governorship of the young King then became the object of the two contending factions in the kingdom, one of which was led by Sir William Crichton, Governor of Edinburgh Castle, and the other by Sir Alexander Livingston. The latter had the advantage of the Queen-mother's friendship and support, and through her influence (if not by the stratagem with which she is credited by Boece of concealing her son in a chest, and

[1] 'Robert de Leuingstone de la Calenter' witnesses two notarial agreements, dated 10 December 1412 and 21 January 1426 (*Cart. of Cambuskenneth*, 114, 115, 300), at which periods Sir Alexander Livingston was undoubtedly Laird of Callendar. [2] *Exch. Rolls*, iv. 270. [3] These facts are borne out by original writs at Duntreath, naming both her husbands. Cf. also *Livingston Book*, 13; vol. iv. of this work, 518. From 1418 till 1422 the custumars' accounts show that she was paid her terce of Sir John Livingston's pension from the customs of Linlithgow, Sir John's eldest son and heir receiving two-thirds during that period, after which both pensions disappear from the accounts till 1446, when the full payment to Sir Alexander is resumed and continued till his death (*Exch. Rolls*, iii. 316; iv. 318, 364; v. 224).

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taking him to Stirling from Leith by water) James II. was removed to Stirling Castle, and placed in the custody of Livingston, who was Governor. This took place before 13 March 1439, when the Estates passed measures obviously directed against Livingston's rival Crichton.[1] The following few months witnessed a series of remarkable occurrences. Fear of the King's Lieutenant, Archibald, fifth Earl of Douglas, and fourth Duke of Touraine, led to a coalition of the parties of Crichton and Livingston, the former surrendering the Castle of Edinburgh, and receiving the office of Chancellor of the Kingdom, while the latter retained possession of the young King's person. The Queen was evidently no party to this arrangement, and to strengthen her position she married Sir James Stewart, the Black Knight of Lorn. Livingston, however, took prompt measures to frustrate any scheme the Queen may have had to free her son from bondage. On 3 August 1439 he and his son James forcibly invaded her chamber in Stirling Castle, and had her removed to another room as a prisoner, while her husband and his brother William Stewart were also seized and confined in the castle dungeons. The Asloan MS.[2] says that Livingston put the Stewarts 'in pittis and bollit thaim.'[3] The outrage committed on the Queen showed the length Livingston was prepared to go, and he was powerful enough to dictate the terms of an agreement with her, which was sanctioned by a general council held at Stirling 4 September 1439.[4] The Castle of Stirling and the Queen's allowance were surrendered by her for the King's maintenance. It was stipulated that she was to have access to her son in the presence of unsuspected persons, and in the event of the death of Sir Alexander Livingston he was to be restored to her. The Queen further declared that she remitted to the Livingstons all the rancour which she had wrongly conceived against them, and that she was satisfied that they had imprisoned

[1] *Exch. Rolls*, v. Preface l. [2] Pp. 3, 34. [3] This expression has been supposed to indicate some atrocity on Livingston's part. Mr. Burnett suggests 'manacling' as the meaning of 'bollit,' from the Belgian *boei*, a shackle (*Exch. Rolls*, v. Preface liii), but it simply means that the prisoners were put in a 'bole' or 'boal,' an old Scots word for 'hole' frequently used in writings of the period. Jamieson's *Scottish Dictionary* gives as the meaning of 'bole,' a square aperture, a press without a door, etc. [4] Crawfurd's *Peerage*, 276; *Acta Parl. Scot.*, ii. 54.

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her from motives of loyalty, and out of zeal for their sovereign's safety, and engaged that neither Livingston nor any of his friends should at any future time be brought into trouble for their share in these transactions.[1] Chancellor Crichton is said to have been displeased with the new arrangement, and to have kidnapped the King in Stirling Park in order to obtain from his former rival more favourable terms for himself and his friends, in which he succeeded. In any event, both parties combined to put down the young Earl of Douglas, who was arrested in Edinburgh Castle, 24 November 1440, and beheaded, but no forfeiture of title or estates followed his execution, in consequence, it is alleged, of an understanding between Livingston and Crichton and James, Earl of Avondale, heir-male to the earldom of Douglas. An alliance between this Earl's son, William, after he succeeded his father, and Sir Alexander Livingston, led to a coalition between the Chancellor and Bishop Kennedy, and to another siege of Edinburgh Castle, which was again unsuccessfully defended by Crichton against Livingston. The office of Justiciary of Scotland appears to have been held by Livingston in 1444.[2] But the marriage of the King in July 1449 was quickly followed by the sudden downfall of the Livingstons, which occurred only a few weeks after the promotion of Sir Alexander's eldest son to the office of Great Chamberlain of Scotland. Father and son, together with a younger son, Alexander, Captain of Methven Castle, Robert Livingston, Comptroller, and a number of other relatives, friends, and adherents were arrested, and some of them imprisoned in the fortress of Blackness. They were arraigned before a Parliament held at Edinburgh 19 January 1450, and on the 22 Alexander Livingston, younger son of Sir Alexander, and the Comptroller, were executed, the others being attainted and imprisoned in Dumbarton Castle. The precise charges brought against the Livingstons are unknown, but it is probable that the treasonable imprisonment of the Queen-mother in 1439 was one of them. The possessions of Sir Alexander at this time must have been considerable, as in addition to the patrimonial estates of Callendar and Kilsyth, which were given to the Queen, there were also forfeited the

[1] *Exch. Rolls*, ii. Preface, liv. [2] *Ibid.*, v. 249.

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lands of Catscleuch, in the barony of Herbertshire,[1] the lands of Terrinterran, part of Kippen, Broominch, etc.[2] Some of the estates forfeited were bestowed upon the Earl of Douglas, which excites a suspicion of treachery on his part towards Sir Alexander Livingston. After the Earl's assassination on 22 February 1452, the Livingstons were restored to the royal favour, but Sir Alexander had died in the interval, between 4 July and 6 November 1451.[3]

By his wife, a daughter of James Dundas of Dundas, he had two sons and two daughters:—

1. JAMES, first Lord Livingston.
2. *Alexander* of Phildes or Fildes, in the lordship of Methven, Captain of Methven Castle and Constable of Stirling Castle, who was executed 22 January 1450. His forfeited estate of Phildes was granted to Alexander Napier, Comptroller, for his faithful service as servant of the Queen-mother, when she was treasonably imprisoned by Sir Alexander Livingston, his son James, and their accomplices.[4] This Alexander Livingston married Elizabeth, eldest daughter of Sir Adam Hepburn of Craigs, second son of Adam, Master of Hailes,[5] and was the ancestor of the Livingstons of Dunipace.
3. *Janet*, married to Sir Robert Bruce of Airth.[6]
4. *Elizabeth*.

I. JAMES LIVINGSTON of Callendar was Captain of Stirling Castle prior to 1435,[7] and Keeper of the King's person in 1444,[8] and before 29 June 1448 he was promoted to the office of Great Chamberlain of Scotland.[9] Arrested along with his father and brother a few weeks after the marriage of James II., attainder of his estates was proclaimed 19 January 1450. His lands of Culter in Lanarkshire were granted to the Earl of Douglas,[10] Calyn, and Callander in Menteith to the Earl of Craufurd,[11] and Lenturk in Fife to the King's familiar esquire John Schereinwood.[12] Livingston, however, soon made his peace with the King, and by

[1] *Reg. Mag. Sig.*, 26 July 1450. [2] *Ibid.*, 4 December 1451. [3] *Ibid.* [4] *Reg. Mag. Sig.*, 7 March 1449-50. [5] *Ibid.*, 18 November 1528. [6] *The Bruces and the Comyns*, 319. [7] *Exch. Rolls*, iv. 658; v. 112. [8] *Reg. Mag. Sig.*, 21 March 1444. [9] *Ibid.* [10] *Ibid.*, 22 May 1450. [11] *Ibid.*, 6 July 1451. [12] *Ibid.*, 2 December 1458.

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Martinmas 1451 he is again found in a position of trust as Keeper of Urquhart and Inverness Castles.[1] A further token of royal favour was his appointment in 1453 as one of the Commissioners to negotiate for the cessation of the war with England,[2] and some time before July 1454 he was reinstated in the office of Great Chamberlain,[3] with which he combined that of Master of the Household. A still higher honour was conferred upon him before 7 July 1455[4] by his creation as a Peer under the title of LORD LIVINGSTON OF CALLENDAR, and his estates having been restored to him along with those of his father, they were by a charter of confirmation, granted 30 April 1458, erected into a free barony.[5] Lord Livingston received a charter in 1464 of the lands of Baldoran in the county of Stirling, which was no doubt the Baldoran in the earldom of Lennox which he resigned at Inverness before 1 September of that year in favour of John, Lord Darnley.[6] During the minority of James III. Lord Livingston was employed as one of the Commissioners in negotiating the prolongation of the truce with England, which was finally settled 12 December 1465 by a treaty signed at Newcastle-on-Tyne.[7] On 9 July 1466 Lord Livingston joined Lord Boyd in a conspiracy to secure possession of the King's person in a way not unlike that by which he and his father obtained control over James II. in 1439, and apparently with equal success. At the Parliament of 9 October 1466, it was agreed to direct the Scottish ambassadors then in England, of whom Lord Livingston was one, to treat for the marriage of the King.[8] He witnessed a series of Boyd charters dated 26 April 1467,[9] and died before 7 November of the same year, when his son was served heir to him.[10] His wife Marian,[11] who survived him, has not been identified. From a claim by her to a terce of the lands of Hasilhead, 13 May 1471,[12] it would appear that she was then the widow of a former owner of that estate. She died between 4 June[13] and 20 October 1478, at which latter date her daughter Lady Crichton and Sir Alexander Fraser are named as her executors.[14] In the Comptroller's accounts for the period from 24 September 1449 to 7 August

[1] *Exch. Rolls*, v. 639. [2] *Fœdera*, xi. 319. [3] *Exch. Rolls*, v. 609. [4] *Ibid.*, vi. 1. [5] *Reg. Mag. Sig.* [6] *Ibid.*, 1 September 1464. [7] *Fœdera*, xi. 453 *et seq.* [8] *Acta Parl. Scot.*, ii. 85. [9] *Reg. Mag. Sig.* [10] Kilsyth Charters. [11] *Acta Aud.*, 54. [12] *Ibid.*, 11. [13] *Ibid.*, 54. [14] *Acta Dom. Conc.*, 15.

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1450, credit is taken for a sum of £66, 13s. 4d. received from Thomas of Berwick for a certain compensation for James of Livingston, his son-in-law, agreed upon between the Lords of Council and the said Thomas.[1] This Thomas was one of the custumars of Edinburgh,[2] but whether his son-in-law was James, afterwards Lord Livingston, is not certain. The date of the payment mentioned above corresponds with the sudden fall of the Livingstons, and that is all that can be said.

By his wife Marian Lord Livingston had three sons and three daughters:—

1. JAMES, who succeeded as second Lord Livingston.
2. *Alexander*, who was probably father of the third Lord Livingston.
3. *Mr. David*, rector of Ayr and afterwards Provost of Lincluden, is described as a brother of James (second) Lord Livingston, and acted as the latter's curator.[3]
4. *Elizabeth*, wife of John, Earl of Ross and Lord of the Isles.
5. *Euphemia*, who was married (before 2 April 1472[4]) to Malcolm, son and heir of Robert, Lord Fleming, on whose death (*circâ* 1477[5]) she was married to William Fleming of Bord.
6. *Marion*, wife of William, third Lord Crichton.[6]

II. JAMES, second Lord Livingston, had sasine in 1468 of Strath, forest of Calendar, half of the town of Falkirk, Carmuirs, Auchengenis, Glen, Easter and Wester Jal (or Jaw), Culter, Slamannan, etc.[7] James, Lord Livingston, was retoured as nearest heir of James, Lord Livingston, his father, in the lands of Lethbert, in the barony of Kinneil, on 7 February 1477. James, Lord Hamilton, made an objection and exception 'agane ye said James, Lord Livingstone, allegiande and sayand yat he was nocht lauchfull air to James, Lord Livingstone, because he was nocht lauchfully gotten and yat umquhile the said James was maryt ane lady under silence of nycht and that her first husband the laird of Abberdalgy was an umquhile James, Lord Livingstones twa ferdis of kyne threw ye quhilkis he mycht nocht

[1] *Exch. Rolls*, v. 396. [2] *Ibid.*, 29. [3] Westquarter Writs. [4] Printed Stirling Protocols, 10. [5] *Ibid.*, 35. [6] *Acta Dom. Conc.*, 15; vol. iii. of this work, 64. [7] *Exch. Rolls*, ix. 673.

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be lauchfull are.' In this writ also, David Livingston, parson of Ayr, appears as curator to his brother Lord Livingston.[1] It was not until 1479 the latter received sasine of the family estates of Callendar[2] and of Lethbert, and Broominch.[3] In a protest made, 1 October 1482, against Thomas, Lord Erskine, being a judge, in serving a brief of inquest purchased by William Livingston of Balcastell, Mr. David Livingston, rector of Ayr, appeared as curator of James, Lord Livingston, and protested that whatever the said William should claim by the said brief should not prejudice Lord Livingston.[4] On 28 January 1488-89, Mr. David Livingston, provost of Lincluden, protested as curator to James, Lord Livingston, in reference to a summons against him by Sir James Livingston, heir to the said James, Lord Livingston.[5] Notwithstanding his being under curatory Lord Livingston attended, as a Lord of Parliament, the meetings of the Estates held in October 1487, January 1487-88, and February 1489-90.[6] He seems to have died about the year 1496. He is said to have married, first, Christian, daughter and heiress of Sir John Erskine of Kinnoull, and secondly, Christian, daughter of Sir Robert Crichton, Lord Sanquhar, without issue of either marriage.[7] It is certain, however, that the marriage with Sir John Erskine's daughter did not take place. The parties were contracted on 6 July 1445,[8] but no marriage followed. Christian Erskine was married, first, to a John Crichton, and second, to Robert Crichton, afterwards Lord Sanquhar. Her second husband, so far as is known, had no daughter, which makes the alleged second marriage of Lord Livingston extremely doubtful.[9] More probably this Lord was never married, because there is good evidence of his idiocy, which accounts for his being under curatorship at a mature age. A decree in an arbitration, dated 3 May 1513, between Alexander Livingston of Terrinterran and Robert Callander, his curator, on the one hand, and John Livingston, burgess of Stirling, and Sir Alexander Seton of Touchfraser, on the

[1] Westquarter Writs. [2] *Ibid.*, 680. [3] Stirling Protocols, 40. [4] *Ibid.*, 56. [5] *Acta Dom. Conc.*, 101. [6] *Acta Parl. Scot.*, ii. 175, 181, 216. [7] A daughter of this Lord Livingston is said to have married Walter Macfarlane of that Ilk; 'Genealogy of Macfarlane' in Maidment's County Collection; *Scottish Antiquary*, xii. 8. [8] *Misc.* of Spalding Club, v. 282. [9] Vol. iii. of this work, 223.

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other hand, anent the rights of the lands of Terrinterran and Kippen, and an obligation of 300 merks, determined that the said Alexander Livingston has full right to the lands of Terrinterran, notwithstanding the infeftment made by the late James, Lord Livingston of Callendar, with consent and assent of his curator, because that the said James was 'fulle and natural idiot,' and under curatory of the said Mr. David at the time of the infeftment to the late John Livingston, burgess of Stirling, grandsire to the said John Livingston. The decree also annulled that infeftment, as also one made by the said John's father or grandfather to the said Sir Alexander Seton. The decree also sets forth that the curatory of Lord Livingston was clearly shown by a decree of the Lords of Council, and a sentence of the official of Glasgow produced before them, whereby the said Mr. David Livingston was 'deposit and destitut' of his office of curator, because of the making of the said infeftment against the utility and profit of the said Lord Livingston.[1] Whether this Lord married or not, there seems to have been no male surviving issue, as he was succeeded by his nephew,

III. Sir James, third Lord Livingston,[2] who is supposed to have been the son of Alexander, second son of the first Lord. He was knighted before 30 July 1477, when he appears as a witness to a Stirling protocol.[3] He is styled 'Sir James Livingstone of Lethbert' 4 August 1488, and Sir James Livingstone, apparent Lord Livingstone, 5 September 1490.[4] A charter to Robert, Lord Lile, of certain lands in Renfrewshire, dated 6 June 1491, narrates a process of distraint by Sir James Livingston and his wife, Agnes Houston, against her brother for payment of her portion after the decease of her father.[5] Some difficulty seems to have delayed his taking possession of the Callendar estates for a year after his uncle's death, as the Lord High Treasurer's account for 1497 contains the

[1] *Acta Dom. Conc.*, MS. xxv. 64. Unfortunately the latter part of this decree is wanting, and no date appears except that of this arbitration.
[2] In a claim made by Sir James before the Lords of Council, 8 May 1498, to the lands of Castleton and Balmalloch, the deceased James, Lord Livingston, is described as his 'eme,' or uncle (*ibid.*, vii. 208). [3] Ms. List of witnesses to Stirling Protocols, 1469-84. [4] Protocol Book of James Young, Edinburgh City Chambers. [5] *Reg. Mag. Sig.*

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following entry: 'Item, the vij day of December I resauit fra Sehir James of Levingstoune, Lord of the Kalendar, of ane termez male of his landis being in the Kingis hands for his nonentree, j^clxvj li. xiij s. iiij d.' In 1498, as Lord Livingston, he obtained sasine of 'Calendar with the particular lands thairof,'[1] and also of Castletoun and Balmalloch, held of Callendar by Livingston of Kilsyth.[2] On 30 January 1500-1, the King confirmed to James, Lord Livingston, and Agnes Houston his spouse, the lands of Slamannan, Terrinterran, and Kippen, in the barony of Callendar.[3] Lord Livingston died about 1503.

By his wife Agnes Houston, daughter of John Houston of that Ilk, he had one[4] son and a daughter:—

1. WILLIAM, who succeeded.
2. *Elizabeth*, married to Robert Callander, grandson and apparent heir of Robert Callander of Dowradour.[5]

IV. WILLIAM, fourth Lord Livingston, who received a charter of the family estates in 1503,[6] and on 20 September 1504 granted a charter as superior of Pettyntoskane (now Bantaskine) in the barony of Callendar, in favour of Patrick Hepburn,[7] his wife's uncle. For a debt of 250 merks he was obliged to submit to a distraint upon part of his lands in favour of Sir James Schaw of Sauchy, 4 November 1507.[8] A charter of confirmation, dated 21 January 1509-10, of part of Callander in Menteith, Culter in Lanarkshire, and Cragston in Stirlingshire, in favour of himself and Agnes Hepburn, his spouse, was granted to Lord Livingston on his own resignation for conjunct infeftment,[9] and a month later he resigned the whole of his estates in favour of Alexander, his son and heir-apparent, reserving his liferent and a reasonable terce to his wife.[10] His domestic affairs appear to have become disordered about 1512, when his son took forcible possession of Callendar House, while

[1] *Exch. Rolls*, xi. 461. [2] *Ibid.*, 462. [3] *Reg. Mag. Sig.* [4] He is said by Crawfurd to have had another son, *Alexander*, founder of the family of Livingston of Terrinterran, who may have been illegitimate, as in the arbitration decree mentioned above he is not called brother of William, Lord Livingston, or son of the deceased Sir James. [5] *Acta Dom. Conc.*, 388; MS. vol., f. 156. [6] *Exch. Rolls*, xii. 712. [7] *Reg. Mag. Sig.*, 1 October 1504. Patrick Hepburn's mother's name is given in this charter as Alisone Forest, probably first wife of Patrick Hepburn, first Lord Hailes. [8] *Ibid.* [9] *Ibid.* [10] *Ibid.*, 3 February 1570.

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in the following year his wife obtained decree of divorce against him for adultery with Mariota Taylor, and having issue by her.[1] He died in 1514.

By his wife Agnes, second daughter of Alexander Hepburn of Whitson (contract dated before 2 April 1501[2]), he had three sons[3] and a daughter:—

1. Alexander, who succeeded.
2. *Mr. James.*[4]
3. *William*, styled brother-german of Alexander, Lord Livingston, in an action against the Earl of Huntly as to the rents of the lands of 'Pawplay' in Orkney, 28 November 1553.[5]
4. *Margaret*, married to John, fourth Lord Hay of Yester.

V. Alexander, fifth Lord Livingston, as son and apparent heir of his father, and as fiar of the lordship of Livingston, had, along with his spouse, Janet Stewart, a charter, dated 30 March 1511, confirming to them the dominical lands of the place of Callendar and others,[6] and probably upon the strength of this he took possession of Callendar House, a step which involved a dispute with his father, and a deed of arbitration, dated 17 February 1513, Sir William Livingston of Kilsyth, and Alexander Livingston of Dunipace, acting as arbiters.[7] A charter of Catscleuch, in the barony of Herbertshire, was granted to Alexander and his wife, dated 14 January 1512-13.[8] While still Master of Livingston, he gave sasine of Castleton and Balmalloch (15 March 1513-14) to his kinsman William Livingston, son and heir of the Laird of Kilsyth who fell at Flodden.[9] After his father's death he had a charter from his maternal uncle James Hepburn, Bishop of Moray, dated 21 April 1518, of the lands of Birthwood and others in the barony of Culter.[10] He also acquired by purchase from his aunt, Margaret Hepburn, Lady Sinclair, two oxgangs of the lands of Polknaif in

[1] *Livingston Book*, 32. [2] Vol. iii. of this work, 144. [3] Mr. E. B. Livingston says some American writers assert that Lord William had another son, Robert, who was killed at Pinkie 1547, but without sufficient authority (*Livingston Book*, 32). [4] 23 October 1547, arrestment of goods of deceased Mr. James Livingston, brother of Alexander, Lord Livingston, for behoof of his creditors. Stirling Town Council and Court Book (MS.) 1544-1550. [5] *Acts and Decreets*, x. f. 26. [6] *Reg. Mag. Sig.* [7] *Livingston Book*, 33. [8] *Reg. Mag. Sig.* [9] Kilsyth Charters. [10] *Reg. Mag. Sig.*

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Stirlingshire.[1] The seal of Alexander, Lord Livingston, was among those appended to the Act of attainder of the Douglases in 1528,[2] but he does not appear to have taken any active part in political affairs. He was appointed an extraordinary Lord of Session, 5 March 1541-42, and by an Act of the Scottish Parliament, 24 April 1545, he and Lord Erskine were appointed guardians of the infant Queen Mary. Probably as a means of providing himself with funds for defence against his own and the Queen's enemies, Lord Livingston received a charter, dated 10 June 1545, in favour of himself and his second son William, of the dominical lands of Manuel, the charter being given at the monastery of Manuel. This charter was confirmed 24 August 1546.[3] In September 1547, soon after the battle of Pinkiecleuch, Lords Erskine and Livingston were discharged of the keeping of the Queen, 'when Her Majesty was carried from Stirling to the Isle of Inchmahome by her mother, tutor, and governor, and Lords of Council who were then at the Isle.'[4] Whether as guardian or in some other official capacity, it is certain that Lord Livingston accompanied Queen Mary to France in 1548, his daughter, one of the 'Four Maries,' being in attendance on the Queen. He is said to have died abroad about 1553, but he was dead before 4 January 1551, when his successor is styled Lord Livingston in a charter to his brother Thomas.[5]

Lord Livingston married, first, Janet Stewart, by whom there was no issue. He married, secondly, Agnes Douglas, daughter of John, second Earl of Morton, by whom he had three sons and six daughters:—

1. *John*, Master of Livingston, to whom, along with his wife Janet, daughter of Malcolm, third Lord Fleming, a charter was granted, 20 May 1546, on the resignation of his father, of half of the barony of Culter in Lanarkshire, and the lands of Bogton, Easter Pettintoskane, and Livilands in Stirlingshire.[6] He was killed at the battle of Pinkiecleuch, 10 September 1547, leaving no issue. His widow married, secondly (contract 24 May 1560), John Sandilands of Calder,[7]

[1] *Reg. Mag. Sig.*, 6 December 1513. [2] *Acta Parl. Scot.*, ii. 401. [3] *Reg. Mag. Sig.* [4] *Reg. Sec. Sig.*, xxii. 16. [5] *Reg. Mag. Sig.* [6] *Ibid.*; cf. also Discharges for Tocher dated 27 July 1546 and 26 June 1547; Wigtoun Charter-chest. [7] *Reg. of Deeds*, vii. f. 94.

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who died before May 1567 with issue; thirdly, before November 1567, David Craufurd of Kerse.[1]

2. WILLIAM, who succeeded his father as sixth Lord Livingston.
3. *Thomas* of Haining, a property which he acquired by marriage with Agnes, elder daughter and co-heiress of William Crawfurd of Haining, who bore him seven sons and two daughters. He was the ancestor of the Livingstons of Haining. On 4 January 1551 he received a grant to himself and Agnes Crawfurd, his spouse, of half of the barony of Manuel on the resignation of Mr. Alexander Livingston of Dunipace, with remainder, failing male heirs, to the second male heir of William, Lord Livingston, not being himself Lord Livingston, and heirs-male of his body, whom failing, to William, son of Henry Livingston in Falkirk, and his heirs-male, whom failing, to Alexander, natural son of the deceased Mr. James Livingston, rector of Culter, and heirs-male of his body, whom failing, to the nearest heir of William, Lord Livingston.[2] Thomas Livingston of Haining seems to have married for his second wife, before 1582, Elizabeth, relict of —— Forrester, who in that year is called Elizabeth Forrester, Lady Haining. Thomas Livingston was alive in 1606.
4. *Elizabeth*, married (dispensation 31 January, and marriage 3 February, 1543-44)[3] to John Buchanan of that Ilk.
5. *Janet*, married, before 1 July 1547,[4] to Sir Alexander Bruce of Airth. She died 4 October 1599.[5]
6. *Mary*, married on Shrove Tuesday 6 March 1564-65 (contract 3 March[6]) to John Sempill, younger son of Robert, Lord Sempill. She was one of the Queen's Maries, and her marriage was celebrated with great magnificence at the Queen's expense. Three days after the wedding, by a grant dated 9 March 1564-65, in recognition of the long and continual faithful

[1] *Acts and Decreets*, xl. f. 208. [2] *Reg. Mag. Sig.* [3] Adv. Lib. MS. 35, 2, 4, ii. 516. [4] *Reg. Mag. Sig.* [5] Cf. her will given in Major Bruce Armstrong's *Bruces of Airth*, App. xvi. [6] Robertson's *Inventory of Queen Mary's Jewels*, xlvii. *note* 1, and authorities there cited.

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service of Mary's brother, Lord Livingston, and herself on the one part, and of John Sempill on the other part, during all the 'youth-heid,' and minority of the Queen, and to knit them together in lawful marriage with provision of a reasonable living for their estate, the young couple were infeft in the lands of Over Drumdelgie and others, forfeited by George, sometime Earl of Huntly, and in special security and warrandice in the lands of Auchtermuchty in Fife and Stewarton in Ayrshire, the Little Cumbrae in Bute, and Yethie, Blawarthill, and King's Meadow of Renfrew, together with an annualrent from the lands of Ballincrieff in the sheriffdom of Edinburgh. On the restoration of the Earl of Huntly the Parliament, held on 16 April 1567, approved of the ratification of the grant to Marie Livingston and her husband of the lands held by them in warrandice and of their infeftment in them *de novo*.[1] When Queen Mary made her will in prospect of her confinement in June 1566, an inventory of her jewels was drawn up by Marie Livingston and Margaret Carwood, and this inventory, subscribed by the Queen and 'Marie Leuiston,' has been preserved. Opposite each article is written in the Queen's handwriting the name of the person to whom she bequeathed it in the event of her infant dying with herself, and Mary Livingstone, along with her sister Magdalen, and her sister-in-law Lady Livingston, are among the legatees.[2] A payment out of the feu-maillis of the Little Cumbrae, dated 30 July 1583, shows that Mary Livingston survived her husband, who died in April 1579.[3]

7. *Magdalen*, also a Maid-of-honour to Queen Mary, was married, 7 January 1561-62, to Arthur Erskine of Blackgrange, a younger brother of John, Earl of Mar. Magdalen received a handsome present from the Queen on the day after her marriage, and in the Queen's will there was bequeathed to '*Leuiston la jeusne*' (which she was called to distinguish her

[1] *Acta Parl. Scot.*, ii. 559, 560. [2] National MSS. of Scotland, pt iii. l.
[3] *Exch. Rolls*, xxi. 576.

from her sister Mary, *Leuiston laisnee*) a watch ornamented with twelve rubies and two large sapphires with a pearl pendant at the end. Her husband's name also appears in the list of legacies opposite the item, 'a badge ornamented with a sapphire and a pearl pendant at the end.'[1] Arthur Erskine died, without issue, previous to 14 January 1570,[2] and in 1577 his widow married Sir James Scrymgeour of Dudhope.[3] This marriage exceedingly displeased Queen Mary, then a prisoner in England, and in a letter to the Archbishop of Glasgow, dated 31 August 1577, she says it is her wish, until she is better informed, that what she had ordered as a gift to Magdalen should not be sent to her.[4]

8. *Helen*, married (contract dated 13 March 1552-53) to James Wetherspune, younger of Brighouse.[5]
9. *Marion*, married (contract 30 October 1558) to James Ogilvy of Findlater.[6]

Lord Livingston married, thirdly, with no issue, Jeanne de Pedefer, a French Maid-of-honour to Queen Mary, who, as a widow, married, before 17 July 1560, Pierre de Joisel, Seigneur de Saint Remy-en-Bouzemont et de Betoncourt, *Maître d'hôtel* to the Queen.[7]

VI. William, sixth Lord Livingston, had (1 October 1553) a confirming charter in favour of himself and Agnes Fleming his spouse of annualrents from various lands of which he was superior, on his own resignation and that of his curators, John, Archbishop of St. Andrews; Janet, Lady Fleming; and Mr. Alexander Livingston of Dunipace.[8] His succession to other parts of the family estates involved payment of large sums to the Exchequer for their relief from the accumulation of Crown duties. Catscleuch, etc., in the barony of Herbertshire, sasine of which was given to Lord William 3 December 1566, had been in the hands of the King and Queen respectively as superiors for upwards of sixteen years, and the fermes due amounted to £434, 10s.

[1] National MSS. of Scotland, iii. l. [2] *Reg. Mag. Sig.*, 10 December 1584. [3] Vol. iii. of this work, 313. [4] Labanoff's *Lettres de Marie Stuart*, iv. 389. [5] *Acts and Decreets*, viii. f. 130. [6] Vol. iv. of this work, 25. [7] *Livingston Book*, 37; *Reg. of Deeds*, iii. f. 362. [8] *Reg. Mag. Sig.*

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together with two half-pounds of wax of duplicand,[1] showing that entry had not been taken by two singular successors. The half of the barony of Culter was indebted to the Crown for ward and relief for no less than fifty-one years,[2] but it was not till 1580 that the arrears, amounting to £4264 were paid to the Sheriff of Lanarkshire.[3] Queen Mary had a great regard for the son of her guardian and his wife. On her first northern progress she dined at Callendar House with a part of her train on 12 August 1562, and she visited it more than once in critical times. On Sunday, 1 July 1565, she travelled from Perth to Callendar House, cleverly evading an ambush laid for her by her enemies, to attend the baptism of a child of Lord Livingston's. At this time the Protestant Lords were convened in Stirling to consider the Queen's attitude to the Protestant religion, and had sent a deputation to Perth to discuss the subject with her, and her attendance at the baptismal service in Callendar House, to which she had ridden in fear and haste[4]—not without cause—was no doubt intended to show her respect for the ordinances of the reformed religion, as well as to do a favour to Lord Livingston, which, as she assured him, she had not done to any other before.[5] The Queen stayed at Callendar House till the following Wednesday, when she rode to Edinburgh. The room in which she slept while she was Lord and Lady Livingston's guest has been preserved. Callendar House had again the Queen as a visitor on 2 September, when, along with Darnley, she was pursuing the army collected by the rebellious nobility. On the occasion of the baptism of Prince James, 17 December 1566, Lord Livingston was one of the few Protestant nobles who were present at the ceremony in Stirling. He was in attendance on the Queen on the night of Riccio's murder, his brother-in-law Arthur Erskine being captain of the guard. On 13 January 1567, the Queen, with the infant Prince, halted at Callendar House, on her journey from Stirling to Edinburgh, and passed the night there. On the 24th of the same month she was again Lord Livingston's guest for a night when on her way to visit Darnley, who was lying ill in Glasgow, and on her return with him both

[1] *Exch. Rolls*, xix. 556. [2] *Ibid.*, 560. [3] *Ibid.*, xxi. 79. [4] Hay Fleming's *Mary Queen of Scots*, i. 109. [5] Laing's *Knox*, ii. 490.

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stayed at Callendar House on the night of the 27th January. This was the ill-fated Queen's last visit to the residence of her faithful friends Lord and Lady Livingston. A passage in one of the famous casket letters (No. 2) records an after-supper conversation between Queen Mary and Lord Livingston,[1] which has been regarded by some writers as evidence of the criminal intimacy of the Queen with the Earl of Bothwell. Lord Livingston was present at Mary's marriage to Bothwell at Holyrood, 15 May 1567, and when, a month later, she was imprisoned in Lochleven Castle, he was one of a deputation of her adherents who had an interview with the Earl of Moray at Edinburgh to negotiate for her release.[2] On the escape of the Queen he joined her at Niddrie with his vassals, and accompanied her to Hamilton, where he signed the bond for her defence 8 May 1568.[3] He fought on her side at the battle of Langside, and was one of the three Lords who led her away when the battle was seen to be lost, and escorted her across the Border. He was afterwards in attendance on Mary in Carlisle Castle, where he was joined by his wife, and both accompanied the Queen to the Castles of Bolton, Tutbury, Chatsworth, and Sheffield, four of the prisons in which she was detained by Queen Elizabeth. In a letter to Cecil dated 26 February 1568-69, Nicholas White, reporting an interview with Mary at Tutbury, writes: 'The greatest personage about her is the Lord Livingston and the lady his wife, which is a fair gentlewoman, and it was told me both Protestants.'[4] Lord Livingston was one of Mary's Commissioners at the conference held at York in October 1568, and along with the Bishop of Ross he endeavoured to negotiate a treaty with Elizabeth for the Queen's restoration, but without success. He likewise undertook missions to Scotland and France on her behalf, while Lady Livingston, who on returning to Scotland in 1572, was allowed to live at Callendar House, became an active agent in facilitating secret correspondence between the Queen's friends. This was discovered by the Regent Morton, who imprisoned Lady Livingston in Dalkeith Castle, but finding no information could be extracted from her, he

[1] T. F. Henderson's *The Casket Letters and Mary Queen of Scots*, 135.
[2] *Historie of King James the Sext*, 19. [3] Keith's *History of Scotland*, ii. 807. [4] Miss Strickland's *Queens of Scotland*, vi. 354.

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released her after a confinement of two months.[1] Meanwhile Lord Livingston was at the French court, and was in Paris during the massacre of St. Bartholomew, after which event he returned to London with the object of joining his wife in Scotland, but was not allowed to do so till after the fall of Edinburgh Castle in May 1573. Acknowledging the authority of the King, a remission was granted to him, dated 23 March 1573-74,[2] and by order of the Privy Council he was relieved from all bonds or promises made on his behalf or on behalf of his wife and eldest son, Alexander, Master of Livingston, and their sureties were discharged of their obligations.[3] Lord Livingston was a Privy Councillor in March 1575, but was never again a prominent figure in Scottish affairs. He was, however, one of the jury who, in 1584, convicted the Earl of Gowrie of treason. He died between 18 October 1592, when his name appears in a family charter, and 29 November of that year.[4] He married, about 1553, Agnes Fleming, second daughter of Malcolm, third Lord Fleming, by his wife Janet Stewart, an illegitimate daughter of King James IV. Whether Lady Livingston survived her husband has not been ascertained. Both are said to have been buried in Falkirk churchyard, and two recumbent figures near the family tomb are supposed to represent them. More probably, however, these belong to an earlier period.

Lord Livingston had issue five sons and two daughters:—

1. Alexander, first Earl of Linlithgow.
2. *John*, who died young.
3. *Henry*, who also died young.
4. *Sir George* of Ogilface, married Margaret, believed to have been of the family of Innernytie, and died about 1616. From him descended the second family of Livingston of Westquarter and Bedlormie.
5. *Sir William* of Culter, died 2 May 1607, buried at Dundrennan;[5] married Mary, daughter of Sir William Bailie of Lamington, and widow of Edward Maxwell, Abbot of Dundrennan. His son, William, married Helen Livingston, heiress of Westquarter.

[1] *P. C. Reg.*, ii. 220. [2] Livingston Letters in Reg. Ho. [3] *P. C. Reg.*, ii. 351. [4] Contract between Alexander, Lord Livingston, George and William, his brothers, as executors of their father; Westquarter Writs. [5] *Livingstons of Callendar*, 234.

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6. *Jean*, married (contract 1 and 10 April 1575) to Alexander, fourth Lord Elphinston, and had issue. She died 15 September 1651.[1] → 1631
7. *Margaret*, married, first, in 1581, as his second wife, to Sir Lewis Bellenden of Auchnoul, Justice-Clerk; and secondly, after 1591, to Patrick Stewart, Earl of Orkney, who squandered all her property and left her to die in poverty.

VII. Alexander, seventh Lord Livingston, having, along with his father, sided with Queen Mary, was taken prisoner at the capture of Dumbarton Castle by the Regent's forces, 2 April 1571,[2] and his name does not again appear as an active participator in the struggle which rent the kingdom. On 24 December 1580 King James confirmed a charter in favour of the Master of Livingston, by which he became the owner of half of the lands of Staneburn, in the barony of Livingston.[3] Accompanying the Duke of Lennox to France, on the banishment of that nobleman in December 1582, he was sent back by the Duke with a letter to the King, expressing a wish to be allowed to return home, as he was in a dying condition, but before his friend could deliver the letter the Duke had died. Out of regard for his favourite the King despatched Livingston to France to bring home his widow and his son and heir. It is said by Sir Robert Bowes[4] that for this service Livingston obtained from the King a third of the Abbacy of Cambuskenneth, which had been confiscated in consequence of the part taken in the Raid of Ruthven by the Earl of Mar and his nephew Adam Erskine, Commendator of the Abbey. The *Exchequer Rolls*[5] show that Livingston was actually Commendator of Cambuskenneth in 1584-85, although his name does not appear as such in the Register of the Monastery, and that he also acted on behalf of the Earl of Montrose, who is said by Bowes to have received another third of the Abbey property, the remaining third being given to Lord Fleming. The Master of Livingston, by his activity in marching to Stirling with his retainers

[1] Vol. iii. of this work, 538. [2] Richard Bannatyne's *Journal of the Transactions in Scotland*, 123. Lord Fleming, Captain of the Castle, was a relative of the Master of Livingston. [3] *Reg. Mag. Sig.* [4] *Correspondence*, 586-587. [5] Vol. xxi. 597 *et seq.*

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after the castle had been captured by the Ruthven conspirators, a movement which led to the evacuation of the castle, gained the King's favour and received the special thanks of the Privy Council.[1] At the baptism of Prince Henry in 1594, having previously taken his seat in Parliament as Lord Livingston and having been appointed a member of the Privy Council, he was one of the nobles in attendance on the infant Prince, and carried the towel at the christening ceremony.[2] In 1596 he was intrusted by the King with the charge of the infant Princess Elizabeth, greatly to the displeasure of the ministers of the Reformed Church, who strongly protested on the ground that Lady Livingston was a papist.[3] The King took his usual course of professing to comply with the ministers' wishes, but with no real intention of giving effect to them. Not only was the Princess Elizabeth allowed to remain under Lord and Lady Livingston's charge, but the keeping and education of her sister, Princess Margaret, were also intrusted to them, Lord Livingston being exempted on this account from attending all raids, wars, gatherings, assizes, or inquests.[4] A Crown charter, dated 25 March 1600, erecting Lord Livingston's lands and baronies into one whole free barony of Callendar, and the town of Falkirk into a free burgh of barony and free regality, with all rights thereof in favour of the said Lord, narrates that it was granted in consideration of the great care, extreme diligence and solicitude of the King's trusty cousin and councillor Alexander, Lord Livingston and Lady Eleanor Hay, his spouse, for several years bygone in undertaking the education of the King's two lawful daughters still in their society.[5] Lord Livingston had prior to this date a number of charters, one of which, dated 28 February 1598-99, conferred upon him the office of Constable and Keeper of Blackness Castle, which was resigned by Sir James Sandilands of Slamannan: while another, dated 13 April 1591, confirming to him the lands which had belonged to the Priory of Manuel, styles him Commendator of that monastery.[6] About Christmas 1599, at a 'great feast,'[7] the

[1] *P. C. Reg.*, iii. 661-662. [2] *Scotia Rediviva*, 475. [3] Calderwood's *History of the Kirk of Scotland*, vi. 119. [4] *P. C. Reg.*, v. 558. [5] *Reg. Mag. Sig.* [6] *Ibid.* [7] Birrell's *Diary*, 53.

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King created Lord Livingston EARL OF LINLITHGOW, under which title he appears as attending a meeting of the Privy Council on 13 January 1601.[1] After the accession of King James to the English throne the Earl was appointed to escort Queen Anna to London.[2] He was also nominated one of the Scottish Commissioners to discuss the terms of a treaty of union of the two kingdoms,[3] which was not then effected. By a charter dated 18 December 1604, the Earl and his spouse obtained possession of the barony of Livingston; the Templar lands of Carlowrie were granted to the Earl on the resignation of Lord Torphichen by a charter dated 7 February 1605; and there are several other charters in his favour among those which passed the Great Seal in the latter part of James's reign.[4] As keeper of the royal palace of Linlithgow, he wrote a strong letter to the King, dated 6 September 1607, informing him that in consequence of his (the King's) orders for the execution of some necessary repairs on the palace having been neglected, the north quarter had fallen in, and the inner wall also threatened to fall in and break His Majesty's fountain.[5] The Earl died in the Castle of Callendar 24 December 1621,[6] and was buried in the church of Falkirk, Thursday, 5 February 1622.[7] He married (contract 26 and 31 January 1583-84) Helen or Helenor Hay, only daughter by his first marriage, of Andrew, eighth Earl of Erroll.[8] She was a devoted Catholic, and was hunted from church to church by the Presbytery of Linlithgow in a vain attempt to effect her conversion.[9] By her the Earl had three sons and two daughters:—

1. *John*, Master of Livingston, who died previous to 14 February 1614.[10]
2. ALEXANDER, who succeeded as second Earl.
3. *James*, afterwards Earl of Callendar. (*See that title.*)

[1] *P. C. Reg.*, vi. 190. The Earl assumed as an augmentation of the family arms those of the burgh of Linlithgow, namely, in an escutcheon azure, an oak growing out of the base or, within a bordure argent charged with eight cinquefoils gules, which are placed over the quartered arms of Livingston of Callendar (Nisbet's *Heraldry*, i. 389). [2] Royal letter of 9 April 1603, Slains Charter-chest. [3] *Acta Parl. Scot.*, iv. 264. [4] *Reg. Mag. Sig.* [5] *Analecta Scotica*, 400. [6] Return of his son, Westquarter Writs. [7] Funeral Entry, Lyon Office. [8] Vol. iii. of this work, 572. [9] *Ecclesia Antiqua*, by Rev. John Ferguson of Linlithgow, 166; see also *Scottish Historical Review*, iii. 20-23. [10] *Retours.*

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4. *Anna*, eldest daughter, married, 22 June 1612,[1] to Alexander, sixth Earl of Eglinton.
5. *Margaret*, married (contract 12, 15, 18, and 20 February 1609[2]) to John, second Earl of Wigtoun.

VIII. ALEXANDER, second Earl of Linlithgow, had been appointed in his father's lifetime an extraordinary Lord of Session, 13 January 1610,[3] and was admitted a member of the Privy Council 17 February 1624.[4] He was served heir to his father in the barony of Callendar 22 May 1622.[5] On 13 January 1626 he obtained the office of Admiral of Scotland during the minority of James, Duke of Lennox, and two years later was constituted sole commander of the Scottish fleet, his activity in this capacity being attested by numerous minutes of the Privy Council. A royal concession, dated 14 June 1628, granted him, as admiral, the exclusive right to manufacture saltpetre, gunpowder, and tinder for twenty-one years,[6] but this monopoly was abolished by the Scottish Parliament in 1641, the Earl receiving compensation for any expenses he had incurred in erecting the necessary works for the carrying out of his patent.[7] Lord Linlithgow served in the various commissions appointed by Charles I. to deal with the endowments of churches and schools falling under the general revocation, to enforce the laws against Popery, to inquire into the offices of Constable of Scotland and Director of the Chancellory, to revise the statutes of the kingdom, and for other purposes.[8] The Constableship of Linlithgow Palace fell to him on 1 August 1627, on the resignation of Sir William Bellenden of Broughton,[9] and he had a charter of the lands of Muckra, Brighouse, and others, in the barony of Ogleface, belonging of old to the Abbey of Holyrood.[10] During the Civil War Lord Linlithgow adhered staunchly to the royal cause, and suffered for his loyalty, while his younger brother, Sir James Livingston of Brighouse, who had joined the Covenanters, was elevated to the Peerage under the title of Earl of Callendar (*see that title*). In 1642 the Earl resigned the Keepership of the Palace of Linlithgow and

[1] Vol. iii. of this work, 446. [2] *Reg. Mag. Sig.*, 25 August 1614. [3] Dalrymple's *Tracts*, 7. [4] *P. C. Reg.*, xiii. 435. [5] *Retours*, *Stirling*, 113. [6] *Reg. Mag. Sig.* [7] *Acta Parl. Scot.* [8] *Reg. Mag. Sig.* [9] *Ibid.* [10] *Ibid.*, 14 February 1627.

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Constableship of Blackness Castle in favour of his eldest son.[1] He was on the Committee of War for Linlithgowshire in 1644,[2] and the last notice of him is when he waited on the Marquess of Montrose after the battle of Kilsyth, 15 August 1645. He probably died the same year. He married, first (contract dated at Huntly and Callendar 29 April and 4 May 1611[3]), Elizabeth Gordon, second daughter of George, Marquess of Huntly. This cost the minister of Slamannan, who married them, the penalty of deposition.[4] She died in childbed in July 1616.[5] By her the Earl had a son,

1. GEORGE, who succeeded as third Earl.

He married, secondly (contract 16 and 17 October 1620[6]), Mary Douglas, eldest daughter of William, tenth Earl of Angus, by whom he had another son and two daughters:—

2. *Alexander*, second Earl of Callendar.
3. *Margaret*, married, first, to Sir Thomas Nicolson of Carnock; secondly, as his fourth wife (names given up for proclamation 8 June 1666),[7] to Sir George Stirling of Keir. He died in June 1667 and she was married, thirdly, at Stirling 6 February 1668, to Sir John Stirling of Keir, cousin once removed of her former husband. She died 2 November 1674.
4. *Eleanor*.

Mary, a natural daughter, married to Major Alexander Livingston.

IX. GEORGE, third Earl of Linlithgow, took at first the opposite side of politics from his father, commanding the Stirlingshire Regiment at the siege of Newcastle in 1644,[8] but after his succession to the title he changed his opinions, and took part in the Duke of Hamilton's unfortunate expedition to rescue King Charles from the hands of his enemies.[9] He was accordingly among those who were prohibited by the Scottish Parliament from holding any public office, but was allowed to take his seat in Parliament on 5 December 1650,[10] a few months after his marriage, and was afterwards

[1] *Reg. Mag. Sig.*, 5 December 1642. [2] *Acta Parl. Scot.*, vi. 132. [3] Westquarter Writs. [4] *Ecclesia Antiqua*, by Rev. John Ferguson of Linlithgow. [5] *History of the Earldom of Sutherland*, 335. [6] *Reg. Mag. Sig.*, 21 November 1622. [7] Dunblane Parish Reg. [8] Sir James Turner's *Memoirs*, 39. [9] Balfour's *Annals*, iv. 125. [10] *Acta Parl. Scot.*, vi. 594-596.

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intrusted with a command in the Scottish army raised to resist Cromwell. He was appointed colonel of horse for the county of Perth,[1] but the defeat of the royal forces at Worcester terminated his employment in this capacity. In 1654-55 he represented the sheriffdom of Perth in the English Parliament.[2] At the Restoration he was appointed, 23 November 1660, to the colonelship of the Scots Foot Guards, and early in the following year he was admitted a member of the Scottish Privy Council. In the conflict between the Government and the Covenanters in 1677, Lord Linlithgow was appointed major-general and commander-in-chief in the place of Sir George Munro, and was actively engaged in putting down conventicles. After the defeat of Claverhouse at Drumclog, Linlithgow marched to Kilsyth to meet the victorious rebels, but found it necessary to retire to Stirling, and then to Edinburgh, on account of the strength of the enemy. He again marched westward on 16 July, and on the arrival of the Duke of Monmouth handed over the command to him a few days before the battle of Bothwell Bridge, at which his son, Lord Livingston, led the Scots Guards. Lord Linlithgow retained the colonelcy of this regiment till July 1684, when it was given to Colonel James Douglas, the Earl receiving in exchange the office of Lord Justice-General and a pension of £500 per annum.[3] This office, however, he lost at the Revolution, after which event he became involved in the conspiracy of Sir James Montgomery for the restoration of King James, whose envoy he received into his house near Edinburgh. Between the Restoration and the Revolution Lord Linlithgow was granted the following charters, viz.: Lands of Tortrevan, etc., 8 July 1670; lands of Morton, 11 July 1671; lands of Balvormie (? Bedlormie), 12 April 1682; lands of Waterstoun, 25 November 1682—all in the county of Linlithgow.[4] The Earl died 1 February 1690, aged seventy-four years, and was buried in the church of Linlithgow. He married, first, 30 July 1650,[5] Elizabeth Maule, second daughter of Patrick, first Earl of Panmure, and widow of John, second Earl of Kinghorn, by whom he had two sons and a daughter:—

[1] *Acta Parl. Scot.*, 210. [2] Forbes's *Members of Parliament, Scotland*, 215. [3] Fountainhall's *Historical Notices*, ii. 542; Burton's *History of Scotland*, ii. 61. [4] *Reg. Mag. Sig.*, at dates. [5] Lamont's *Diary*, 27.

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1. GEORGE, Lord Livingston, who succeeded to the earldom.
2. *Alexander*, third Earl of Callendar.
3. *Henriet*, who was married in July 1666 to Robert, second Viscount of Oxenford.[1]

Lady Linlithgow died in October 1659,[2] and the Earl married, secondly, in June 1677, Agnes, daughter and heir-portioner of George Wauchope, merchant burgess of Edinburgh, and widow of Alexander Scott, goldsmith, Edinburgh, to whom she had been married (contract 9 July 1652) with issue, from whom descended the families of Scottshall and Scalloway in Shetland.[3] Agnes Wauchope had no children to Lord Linlithgow.

X. GEORGE, fourth Earl of Linlithgow, was served heir to his father 20 October 1690.[4] After the Revolution he joined the Viscount of Dundee, on the latter's defiance of the Convention of Estates, but submitted soon afterwards, and was allowed to go home on giving his parole to live peaceably under the Government.[5] After the battle of Killiecrankie, Lord Linlithgow made another journey north, but the death of the gallant Graham on the battlefield altered his plans, and he returned to Edinburgh, where he was confined in the castle as a prisoner for a few days, but on taking the oath of allegiance to King William he was liberated. As Earl of Linlithgow he was admitted a member of the Privy Council in 1692, and appointed one of the Commissioners of the Treasury. He died 7 August 1695.[6] Lord Linlithgow married (contract dated at the Canongate 9 March 1679[7]) Henrietta Sutherland, only daughter of Alexander, first Lord Duffus, by his first wife, Jean Mackenzie,[8] but had no issue.

XI. JAMES, fourth Earl of Callendar, succeeded his uncle as fifth Earl of Linlithgow. The retour is dated 10 November 1696, the Earl being served heir to estates in the counties of Edinburgh, Linlithgow, Elgin, and Fife.[9] On 13

[1] Lamont's *Diary*, 240. [2] *Ibid.*, 150. [3] Rothesay Herald, in *Scottish Antiquary*, xvii. 101, where the authorities are given. [4] *Retours*. [5] *Acta Parl. Scot.*, ix. 24. [6] Crawfurd's *Peerage*, 281. A letter in the Slains charter-chest says he died on 11, and was buried at Linlithgow 27, August 1695. [7] *Penes* Livingstone of Westquarter. [8] Vol. iii. of this work. [9] *Retours*.

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January 1713 the Earl of Linlithgow and Callendar was elected a Representative Peer in the House of Lords of the United Kingdom, and was re-elected after the general election in November of the same year. At the Rebellion of 1715 Lord Linlithgow joined the Earl of Mar with three hundred of his own retainers, and at the battle of Sheriffmuir he commanded a squadron of horse, with the rank of brigadier-general. He succeeded in making his escape from Scotland, and died in exile at Rome 25 April 1723. His forfeited estates of Linlithgow and Callendar were sold to the York Buildings Company in October 1720, and in 1783 they were purchased from the Company by Mr. William Forbes of London, grandfather of the present proprietor.

The last Earl of Linlithgow and Callendar married (contract 26 July and 3 September 1707) Margaret Hay, second daughter of John, eleventh Earl of Erroll, by whom he had a son and daughter:—

1. James, Lord Livingston, born 13 November 1710,[1] who died 30 April 1715.
2. *Anne*, married to William Boyd, fourth Earl of Kilmarnock; executed, 18 August 1746, for his share in the Rebellion of 1745, his widow dying of grief in the following year.[2] Her eldest son succeeded in her right to the earldom of Erroll.[3]

Arms (recorded in Lyon Register).—Quarterly: 1st and 4th, argent, three gillyflowers gules within a double tressure flory counterflory vert, for *Livingston*; 2nd and 3rd, sable, a bend between six billets or, for *Callendar*. Over all on an escutcheon azure, an oak growing out of the base or, within a bordure argent charged with eight gillyflowers gules as a coat of augmentation for the title of *Linlithgow*.[4]

Crest.—A demi-savage wreathed about the temples and waist with laurel proper, holding in his right hand a

[1] Falkirk Register of Baptisms. [2] Chambers's *History of the Rebellion in* 1745, ii. 334. [3] Vol. iii. of this work, 581. [4] A note in the Lyon Register says: 'Albeit these gillyflowers be blazoned as such in the old manuscripts, yet when illuminate or other wayes represented they are always done as cinquefoils.'

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baton erect, and in the left a serpent, which is twisted about his arm.

SUPPORTERS.—Two savages proper wreathed as in the crest, each holding on his exterior shoulder a baton or.

MOTTO.—*Si je puis.*

[W. B. C.]

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KER, MARQUESS OF LOTHIAN

THE present Marquess of Lothian, heir-male and representative of Thomas Ker, first of Ferniehirst, second son of Sir Andrew Ker of Altonburn and Cessford (*see* Jedburgh), is also, by the failure of the entire male line of Thomas Ker's elder brother, Sir Walter Ker of Cessford, heir-male and representative of the ancient line of Altonburn. He is thus head of the once rival houses of Cessford and Ferniehirst, and chief of his name in Scotland, holding three of the Ker Peerages, Lothian, Ancram, and Jedburgh. The Kers of Ferniehirst are treated of under the title Jedburgh. The Kers of Ancrum,[1] to whom the representation in direct male line of Thomas Ker of Ferniehirst came on the death of the second Lord Jedburgh, without issue, in 1692, are dealt with in this article. Into that family, of whom the present Marquess of Lothian is direct heir-male, the Lothian title and the estates of the Kers of Newbattle passed by the marriage of Anne, eldest daughter and heiress of Robert Ker, second Earl of Lothian, to Sir William Ker of Ancrum, eldest son of Sir Robert Ker, first Earl of Ancram.

The father of the first Earl of Lothian was—

[1] In this article the title has been spelt *Ancram*, but where it occurs as a place-name, *Ancrum*.

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Mr. MARK KER, Commendator or Abbot of Newbattle, second son of Sir Andrew Ker of Cessford (*see title* Roxburghe), Warden of the Middle March, by Agnes, daughter of Sir Patrick Crichton of Cranstoun-Riddell, and widow of George Sinclair, eldest son of Oliver Sinclair of Roslin.[1] He was born in Edinburgh Castle, received his 'testimonial of Crownebennet' (certificate of laureation) from the College of St. Andrews, and held at one time the family benefice of Maison Dieu, Jedburgh, which he resigned before 22 May 1555, on which date being accused with his brother-in-law, Sir John Home of Cowdenknows, for killing one French soldier and wounding others in Newbattle, he gave these particulars to prove he belonged to the diocese of St. Andrews, desiring as a 'kirkman to be replegit to his Juge Ordinar,' the archbishop.[2] Nothing further seems known of this incident. He was a minor when his father, Sir Andrew Ker, was killed in 1526. He is designed Mr. Mark Ker, brother-german to Walter Ker of Cessford, in the Crown charters of Cessford, coming next in remainder after his brother's heirs.[3] He was provided by the Pope to the Abbacy of Newbattle 5 December 1547,[4] but did not obtain possession till after the death of James Haswell, his predecessor, who was still alive 8 October 1557.[5] He is styled Commendator in a charter by David Panitar, Bishop of Ross, 9 January 1556-57, confirmed 8 December 1557.[6]

He sat in Parliament 29 November 1558,[7] and signed at Edinburgh, 26 April 1560, the covenant to defend the 'evangell of Christ.'[8] He sat in the Reformation Parliament 1 August 1560, and in the Parliament of 1563.[9] He was appointed an extraordinary Lord of Session in 1569, and on 12 September 1569 his name appears on the Privy Council.[10] He was one of the commissioners appointed for the pacification of Perth 23 February 1572-73.[11] He is said to have been one of the Extraordinary Council of Twelve

[1] *Acta Dom. Conc.*, xix. 9, 10, 343; *Reg. Mag. Sig.*, 11 April 1510, 20 February 1568-69. [2] Pitcairn's *Criminal Trials*, i. 378.* [3] *Reg. Mag. Sig.*, 23 April 1542, 21 September 1542, 12 March 1553-54, 22 March 1573-74. [4] Brady. [5] *Reg. Mag. Sig.*, v. 2309. [6] *Ibid.*, 23 April 1542, 21 September 1542, 12 March 1553-54, 22 March 1573-74. [7] *Acta Parl. Scot.*, ii. 503. [8] Knox, ii. 69. [9] *Acta Parl. Scot.*, ii. iii. 525, 536. [10] *P. C. Reg.*, ii. 30. [11] *Ibid.*, 195.

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appointed to carry on the Government after the resignation of Morton in 1578.[1] He was Auditor of Exchequer in 1580.[2] He opposed the Ruthven Raiders, and was a supporter of Esmé, Duke of Lennox.[3] In October 1581 he demitted his office of Commendator of Newbattle in favour of his eldest son, Mark, Master of Requests, retaining a liferent.[4] He was present at a Privy Council meeting 11 March 1583-84.[5] He is said to have died 29 August 1584;[6] but he is called the late Commendator of Newbattle in a charter dated 24 August 1584.[7] He married Helen Leslie, second daughter of George, fourth Earl of Rothes, and widow of Gilbert Seton, younger of Parbroath, and had with her a charter from George, Lord Seton, of the lands of East and West Barnes, 15 May 1567, confirmed 15 April 1569.[8] She died 26 October 1594.[9] Issue:—

1. Mark, first Earl of Lothian.
2. *Andrew*, designed of Fentoun, but apparently the same person as Andrew Ker of Romanno Grange, who was appointed 'Iconimus' and Administrator of Kelso Abbey 5 August 1602.[10] Under the designation of Andrew Ker of Fentoun, he signed as 'Iconimus,' etc., a lease of the teinds of Greenlaw in favour of Sir George Home of Spot, 17 August 1602.[11] He is designed of Fentoun in a charter 28 January 1618, in which his wife Isabella Whitlaw and their son George are referred to, but in an earlier charter, 8 March 1592-93, the husband of Isabella Whitlaw is designed of Romanno Grange.[12] On 22 November 1606 Andrew Ker of Fentoun was an arbiter for Lord Roxburghe in the satisfaction to be given by him for the murder of William Ker of Ancrum.[13] Andrew Ker, brother of the Earl of Lothian, was arbiter in the submission of the feud between the Earls of Eglinton and Glencairn in 1607.[14] He was buried November 1623.[15]

[1] Calderwood, iii. 397, but not borne out by the Privy Council Register. [2] *Exch. Rolls*, xxi. [3] *P. C. Reg.*, 508 *note*. [4] *Acta Parl. Scot.*, c. 93, iii. 276. [5] *P. C. Reg.*, iii. 640. [6] Gen. Tables, *Ancram and Lothian Corresp.*, i. p. cxiii. [7] *Reg. Mag. Sig.* [8] *Ibid.* [9] Gen. Tables, *Ancram and Lothian Corresp.*, i. p. cxiii. [10] *Reg. Mag. Sig.* [11] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 141. [12] *Reg. Mag. Sig.* [13] *Fourteenth Rep. Hist. MSS. Com.*, App. iii. 32. [14] *P. C. Reg.*, vii. 234. [15] Canongate Reg. An inventory of the effects of an 'Andrew Ker of Fentoun, indweller in Edinburgh,' was given up on 15 December 1632; Edin. Tests.

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3. *George*, styled fourth son,[1] called an 'excommunicate papist.' He engaged in the affair of the 'Spanish blanks,' was arrested in the island of Cumbrae 27 December 1592, and imprisoned in Edinburgh Castle, from which he escaped, not without suspicion of collusion, 21 June 1593.[2]
4. *William*, alive in 1613, when, with the consent of his brother Andrew Ker of Fentoun, he alienated his lands of Ewinstoun, etc.[3] He married Jean Johnston, daughter of James Johnston, younger of that Ilk,[4] widow of William, Master of Carlyle, and of Alexander, Lord Saltoun.[5] William Ker inhibited her in 1593.[6] He left no male issue.[7]
5. *Catherine*, married to William Maxwell, fifth Lord Herries of Terregles, with issue. She died in March 1600.[8]

I. Mark Ker, eldest son of preceding, who became the first Earl of Lothian, must have been born before 20 February 1558, on which date his father granted a charter of the lands of Coitlaw and Gledhous to Helen Leslie and her son Mark Ker, confirmed 14 October 1584.[9] On 7 April 1567 Queen Mary signed letters under the Great Seal appointing him to be Commendator of Newbattle for life after the death of his father, or his demission of office. His father demitted the office in October 1581, retaining a liferent, and thereafter the names of father and son appear together on the Newbattle charters. On 24 August 1584 King James vi. ratified to Mr. Mark Ker, Master of Requests, the provisions of Queen Mary's letters, and the demission made by the late Mark, Commendator of Newbattle.[10] He is designed Mr. Mark Ker of Prestongrange when appointed a Gentleman of the Bedchamber to James vi. 1580.[11] He was appointed Master of Requests in 1581, and sat in the Privy Council under that designation 18 December 1581.[12] On 12 December 1584 he was appointed an extraordinary Lord of

[1] *Reg. of Deeds*, xi. 291. [2] Calderwood, v. 254. [3] *Acta Parl. Scot.*, vii. 141. [4] Vol. i. p. 248. [5] *Reg. Sec. Sig.*, lv. 69. [6] *Edinburgh Inhibitions*, vi. 155. [7] *Herald and Genealogist*, vii. 414. [8] Edin. Tests., 5 June 1605. [9] *Reg. Mag. Sig.* [10] *Ibid.* [11] *P. C. Reg.*, iii. 323. [12] *Ibid.*

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Session in room of his father.[1] On 28 July 1587 he had a charter from King James VI. granting him and his heirs-male the whole lands of the suppressed monastery of Newbattle, including the baronies of Newbattle and Prestongrange, and the patronage of the churches of Newbattle, Heriot, Cockpen, and Bathgate.[2] He was created LORD NEWBOTLE,[3] and had a charter of the two baronies above named, united into the lordship of Newbattle, with the title of a Lord of Parliament to him and his heirs-male and assignees, 15 October 1591.[4] Like his father, he was most constant in attendance on Privy Council meetings,[5] and his name appears on nearly every committee of any importance up to the time of his death. On 9 January 1598-99 he had a confirmation of the office of Justiciary of the regality of Stow, sold to him by James, Lord Borthwick,[6] and on 17 April 1599 he had another Crown charter in feu-farm of the lands of Cribbilaw and others in the barony of Stow, erected into a free tenandry.[7] He was appointed collector of the taxation of 200,000 merks levied in connection with certain foreign embassies 15 September 1599.[8] On 18 July 1600 he was charged to reside in Neidpath Castle, for the repression and pursuit of 'Border Thieves.'[9] His integrity and independence as a judge were shown in a marked degree in the case of Mr. Robert Bruce, minister of Edinburgh, whom the King had attempted to deprive of his life pension from the rents of Arbroath, an attempt distinctly opposed by Lord Newbattle.[10] On the 16 July 1606 Lord Newbattle was created EARL OF LOTHIAN by patent to him and the heirs-male of his body.[11] He died 8 April 1609, having made his will on 1 March 1602.[12] He married Margaret Maxwell, second daughter of John Maxwell, fourth Lord Herries of Terregles by Agnes, *suo jure* Baroness Herries of Terregles (*see title* Herries). On 6 April 1601 Mark Ker, Lord Newbattle, and Margaret Maxwell, his spouse, had a confirmation charter of the ecclesiastical lands of Keringtoun.[13] She is said by Scot of Scotstarvet to have had dealings with

[1] Wood's Douglas. [2] *Reg. Mag. Sig.* [3] *Acta Parl. Scot.*, iii. 598. [4] *Ibid.* [5] *P. C. Reg.*, vi. pp. xxix, xxx. [6] *Reg. Mag. Sig.* [7] *Ibid.* [8] *P. C. Reg.*, vi. 29. [9] *Ibid.*, vi. 138. [10] *Ibid.*, v. Pref. lxxxix, March 1598-99. [11] *Reg. Mag. Sig.* [12] Edin. Tests, 16 July 1610. [13] *Reg. Mag. Sig.*

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witches, and to have caused her husband's death. According to the same ill-natured gossip she is said to have had thirty-one children.[1] She died at Prestongrange 8 January 1617, her will being dated Edinburgh 7 January 1617.[2] Issue (so far as is known):—

1. ROBERT, second Earl of Lothian.
2. *Sir William* Ker of Blackhope, who on his elder brother's death, without male issue, assumed the title, but, by missive from Charles I., 19 February 1632, 'he, his son, successors, and brethren' were inhibited from using it.[3] He is designed Sir William Ker of Cockpen, son of Mark Ker, Earl of Lothian, 20 January 1607, when he witnessed a charter to Richard Cas of Fordell, confirmed 28 January 1623.[4] He died *s.p.*
3. *Sir Mark* Ker of Maudslie, who had a charter of the barony of Heriotmure and Castle of Borthwick, which belonged to John, Lord Borthwick, and Lilias Ker, his spouse, 17 February 1620.[5] He was knighted at Holyrood 12 July 1633, and after the death of Harry, Lord Ker, only son of Robert, Earl of Roxburghe, was served his heir-male 8 October 1651, on which date he was head of the Ker family, being heir-male of the earldoms of Lothian and Roxburghe. He died in November 1652, leaving a natural son *John*.[6]
4. *James*, named in the charter of novodamus granted to his brother Robert, Earl of Lothian, 1621.[7] He died in 1625, his brother John being his executor.[8]
5. *John*, named as executor to his brother James. He died *s.p.*
6. *Jean*, married, first, to Robert, Master of Boyd, eldest son of Thomas, Lord Boyd, who died in 1597, with issue; secondly, before 16 April 1610, to David, twelfth Earl of Crawford; thirdly, before 16 February 1618, to Mr. Thomas Hamiltoun of Robertoun, who survived her. She died 17 August 1632, her daughter Jean Lindsay being her executor.[9]
7. *Janet*, married, before 20 July 1614, to William, seventh Earl of Glencairn. (*See that title.*)

[1] *Staggering State*, 105, 106. [2] Edin. Tests., 18 May 1619. [3] *P. C. Reg.*, 2nd ser., iv. 442. [4] *Reg. Mag. Sig.* [5] *Ibid.* [6] Edin. Tests., 11 December 1652. [7] *Reg. Mag. Sig.* [8] Edin. Tests., 17 November 1625. [9] *Ibid.*, 25 January 1623.

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8. *Margaret*, married, about June 1592, to James, seventh Lord Hay of Yester, with issue. He died in 1609, and she was married, secondly (contract 8, 10, and 15 December [1]), to Sir Andrew Ker, Master of Jedburgh, only son of the first Lord Jedburgh, without issue. She was again a widow in 1628. She founded the chapel known as 'Lady Yester's Church' in Edinburgh, and died 15 March 1645, aged seventy-five.
9. *Isabel*, married to William Douglas, first Earl of Queensberry, with issue. She had a charter, 20 July 1603, 'in ejus pura virginitate' of the lands of Knock and others, confirmed 19 January 1609,[2] and had issue. She died in 1628.
10. *Lilias*, married, before 1616, to John, ninth Lord Borthwick, with issue. She died 10 July 1659.
11. *Mary*, married to Sir James Richardson of Smeatoun.
12. *Elizabeth*, married (contract dated 1598 [3]), as his second wife, to Sir Alexander Hamilton of Innerwick, who, according to Scot of Scotstarvit, was much troubled when visiting his mother-in-law by the witches with whom she was supposed to have dealings.

II. Robert, second Earl of Lothian, received part of his education at the University of Padua, being a fellow-student there of John, third Earl of Gowrie. He, like his fellow-students, bore a distinguishing mark, thus described, 'cum neo in manu dextera in digito annulari.' In 1599-1600 he was in the Council of the Scots 'Nation,' and his arms still ornament the *loggia* of *Il Bó*.[4] He was appointed Master of Requests, on his father's resignation of that office, 8 April 1606. He succeeded as second Earl of Lothian, 8 April 1609, and was served heir to his father in his lands in Edinburgh, Fife, Haddington, Lanark, Linlithgow, and Stirling, 24 May 1609. He was present at the General Assembly at Glasgow 8 June 1610,[5] and again at Perth 25 August 1618,[6] and voted for the Articles of Perth, in Parliament 25 July 1621. Having at that date no male heirs, he resigned his estates, and it is said his titles, which

[1] *Reg. of Deeds*, 413, 93. [2] *Reg. Mag. Sig.* [3] *Reg. of Deeds*, 88, f. 234.
[4] 'Scot. Nat. in University of Padua,' *Scot. Hist. Rev.*, Oct. 1905.
[5] Calderwood, vii. 5. [6] *Ibid.*, v. 304.

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he held under a destination to heirs-male, into the hands of the King 3 February 1620, and obtained a charter of novodamus 29 March 1621, ratified by Act of Parliament, conveying his estates to himself and the heirs-male of his body, with remainder to his eldest heir-female without division, whom failing, to his third brother James Ker, to his cousin Robert, Earl of Roxburghe, and Sir Walter Ker of Faudonside, and their heirs-male successively. If the daughter and heir-female were married at the time of decease of the preceding heir-male she was to be absolutely excluded from the succession, but if she were unmarried, and thereafter did marry a gentleman of the name of Ker of lawful blood and honourably descended who should assume and bear the arms of the earldom of Lothian and house of Newbattle she should succeed.[1] It does not appear that this settlement carried the titles, which were apparently not assumed by the heir-female, Lady Anne Ker, before her marriage.[2] On 4 January 1623 Lord Lothian made a will nominating his daughters Anne and 'Gene' Ker his only executors, nominating his wife Dame Annabella Campbell, tutrix testamentar to his son Charles Ker and his daughters, and in case of her death or re-marriage, he appointed Robert, Earl of Roxburghe, George Gordon, Earl of Enzie, and others, as tutors testamentar to his said son and daughters.[3] On 6 March 1624 the Earl of Lothian died by committing suicide under mysterious circumstances, fully related by Calderwood,[4] who adds, 'some imputed this to his great debts laying on his hands, others to consulting with magicians and witches.' His brothers and sisters seem to have imputed it to the last-named cause, as on two occasions after Lord Lothian's death they supplicated the Privy Council for the close confinement and trial of certain witches concerned in it. It is certain that he was deeply in debt, his estates being redeemed, after his death, by Sir Robert Ker of Ancrum, in favour of the young heiress of Newbattle, who married his son Sir William Ker.[5] Lord Lothian is thus described by Sir James Turner: 'He was a person of a great spirit,

[1] *Reg. Mag. Sig.* [2] Stodart, quoted by G. E. C., *Complete Peerage.*
[3] Copy will, *Fourteenth Rep. Hist. MSS. Com.*, App. iii. 33. [4] vii. 595.
[5] *P. C. Reg.*, ii. 442, 624.

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indued with excellent parts. He had seen some of the most renowned places of Europe. Naturally curious he was, which made him studie astrologie.' His friend William Douglas of Tofts composed an elegy on his death, completed by Sir James Turner.[1]

Lord Lothian married, in 1611, Annabella, second daughter of Archibald, seventh Earl of Argyll; she is described by Scotstarvet as 'a woman of a masculine spirit, but high-land faced.'[2] She was for a time curatrix to her daughters, but after Lady Anne's marriage, lived chiefly abroad, and died in 1652, at Antwerp.[3] By her the Earl of Lothian had issue:—

1. *Charles*, of whom the only mention is in the Earl of Lothian's will, dated 4 January 1623.[4]
2. *Anne*, who has been styled Countess of Lothian in her own right. It is, however, a moot point whether the settlement made by her father in 1621 carried the titles. She is called Anne Ker, simply, when her mother Annabel, Countess of Lothian, as her curatrix, signed the submission to Charles I. anent teinds in 1628.[5] By her marriage to Sir William Ker of Ancrum, 9 December 1630, she fulfilled the conditions of her father's settlement, and, as heiress of the Kers of Newbattle, carried their estates to a branch of the Kers of Ferniehirst, which ultimately became head of that house. Her husband, Sir William Ker, was created Earl of Lothian by patent 31 October 1631.
3. *Joanna*, who was provided with a portion by Sir Robert Ker of Ancrum, when he redeemed the Lothian estates, before his son's marriage.[6] She was served heir with her sister to their father 27 January 1636. She is said to have gone to Holland, and to have lived there. But nothing certain seems known of her.

Robert Ker, designed of Woodheid and Ancrum, was third son, but second who had issue, of Sir Andrew Ker

[1] *Sir James Turner's Memoirs*, App. xiv. [2] *Staggering State*, 106. [3] *Ancram and Lothian Corresp.*, i. p. c. [4] *Fourteenth Rep. Hist. MSS. Com.*, App. iii. 33. [5] *Acta Parl. Scot.*, v. 192a. [6] Act of Council, 28 October 1631; *Ancram and Lothian Corresp.*, ii. 48.

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of Ferniehirst, by Janet, second daughter of Sir Patrick Home of Polwarth (see *ante*, p. 59). His name appears as third brother in the remainder of the Crown charter of the lands and barony of Oxnam, granted to Sir Andrew Ker of Ferniehirst 17 January 1523-24.[1] He is designed Robert Ker son of Andrew Ker of Ferniehirst, on the assize of a royal grant to the Archbishop of St. Andrews 17 February 1535-36.[2] On 4 August 1538 he had a charter from his father of the third part of his lands of Dirleton Mains, and of the Easter Links of Dirleton.[3] In the confirmation charter of Ferniehirst to his father Sir Andrew, 20 May 1540, he had remainder as second son, the eldest son Thomas having died without issue before that date.[4] He had a charter from John Home, Abbot of Jedburgh, of the lands of Woodheid in the lordship of Over Ancrum, in feu-farm, with remainder, failing his own heirs-male, to his elder brother John, 7 July 1542.[5] His name appears among those persons to whom letters of remission were granted 13 July 1553, for taking up arms against the Governor of Scotland in conjunction with Matthew, Earl of Lennox, and for art and part in the murder of Sir Walter Scott of Branxholme in 1552.[6] He is named as occupier of the lands of Ferrygait, near North Berwick, in a confirmation charter of Margaret Home, prioress of North Berwick, 4 April 1565.[7] He had a confirmation charter of the lands of Newton, in the barony of Bedrule, Roxburghshire, sold to him by John Grahamslaw of Newton 17 April 1586.[8] He built the house of Ancrum, and his name and that of his wife, Isabel Home, and their arms, with the inscription, 'Foundar and Compleitar Anno 1558,' were cut on a stone on Over Ancrum gate, which is still preserved, though much damaged by a fire which took place at Ancrum House some years ago. He died in February 1588. He married Isabel, daughter of David Home of Wedderburn, by Alison Douglas, daughter of Archibald, sixth Earl of Angus, and had issue:—

1. WILLIAM, who succeeded.
2. *Robert*, designed 'son lawful to Robert Ker of Woodheid,' was witness to a sasine in favour of Alexander,

[1] *Reg. Mag. Sig.* [2] *Ibid.* [3] *Ibid.* [4] *Ibid.* [5] *Ibid.* [6] *Ibid.* [7] *Ibid.* [8] *Ibid.*

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sixth Lord Home, in his estates in Roxburghshire, 10 November 1587.[1] He married (contract 14 October 1586) Helen, daughter of John Grahamslaw of Newton, with whom he got the estate of Newton.[2] Issue:—

(1) *Robert* Ker, designed of Newton, served heir to his father in an annualrent 3 November 1618,[3] who had a confirmation charter of Newton to him and his heirs-male, with remainder to Sir Robert Ker of Ancrum and his heirs-male 7 February 1622.[4] He married Euphemia Douglas, and had issue.[5]

3. *Thomas*, son of the late Robert Ker of Ancrum, bound apprentice to Thomas Bruce, cordiner, Edinburgh, on 27 April 1596.[6]
4. *Catherine*, married (contract 21 May 1566),[7] to Henry Haliburton of Merton. In their marriage-contract she is designed daughter of Robert Ker of Woodheid.
5. *Isobel* contracted in 1566 to George Douglas, younger of Bonjedward.[8]

Robert Ker of Woodheid and Ancrum had two natural sons, *Robert* and *William*, for whom he was surety in 1571 and 1574.[9]

William Ker, the eldest son, is designed apparent of Ancrum in a sasine to the sixth Lord Home of his Roxburghshire lands at the manor of Ancrum-Spittell 10 November 1587.[10] On 27 November 1588 William had sasine of the lands of Woodheid, with the tower, fortalice, mansion, garden, and dovecot, lying in the lordship of Over Ancrum, which had been for a year in the King's hands, and were formerly held from the Abbey of Jedburgh.[11] He had sasine of the lands of Newton in 1589.[12] On 20 December 1590 he was assassinated, by night, in Edinburgh, by Sir Robert Ker, younger of Cessford, afterwards first Earl of Roxburghe, for what cause is not apparent except the long jealousy between the houses of Cessford and Ferniehirst. 'He was a man generally well given, wise, and of great courage, and expert beyond others in the laws and customs

[1] *Twelfth Rep. Hist. MSS. Com.*, App. viii. 151. [2] *Acts and Decreets*, cvi. 183. [3] *Retours*. [4] *Reg. Mag. Sig.* [5] *Ibid.*, 7 August 1643. [6] *Edin. Reg. of Apprentices*, 105. [7] Roxburgh Sheriff-Court Book, quoted in Riddell's Note-Book, No. 53. [8] *Acts and Decreets*, xxxv. 318. [9] *P. C. Reg.*, ii. 725. [10] *Twelfth Rep. Hist. MSS. Com.*, viii. 151. [11] *Exch. Rolls*, xxii. 512. [12] *Ibid.*, 435.

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of the Borders.'[1] He married Margaret, daughter of Archibald Dundas of Fingask, and widow of David Home of Fischwick.[2] She married, thirdly, Sir George Douglas of Mordington.[3] By her William Ker had issue:—

1. ROBERT, first Earl of Ancram.
2. *William*, designed 'second son lawfull' to the late William Ker of Ancrum, in a grant to him under the Privy Seal of the 'eschete' of all guidis, etc., which pertained to Sir Robert Ker of Cessford, younger, and others implicated in the murder of the said late William Ker of Ancrum, dated 20 December 1590.[4] William Ker was denounced with others for burning John Alison's house in Jedburgh 28 June 1602.[5] He signed with his brothers, Sir Robert Ker of Ancrum and Thomas Ker, the 'Letters of Slains,' and discharge for 10,000 merks, in favour of Lord Roxburghe, in forgiveness of and satisfaction for his assassination of their father 20 and 22 November 1606, and 10 November 1607.[6] He had a Crown charter, 30 August 1625, of the lands of Overtoun in the parish of Oxnam, Roxburghshire, resigned by William Douglas of Bonjedward.[7] On 28 February 1629 these lands, resigned by William Ker, Ancrum, were granted to William Ker of Linton, by confirmation charter.[8] He seems to have taken some charge of the Ancrum property on behalf of his brother Sir Robert Ker, who alludes to him in a letter to his son Lord Lothian 20 December 1632.[9]
3. *Sir Thomas Ker* of Redden, who signed the 'Letters of Slains' in favour of Lord Roxburghe cited above, is said to have served abroad in the military service of the King of France. William Ker of Linton, writing from Paris, 26 May 1616, to his cousin Sir Robert Ker of Ancrum, says: 'I would much regret the loss of your brother Thomas his company—for so his love

[1] Archbishop Spottiswoode, *Hist. Church of Scotland*, Bannatyne Club ed., ii. 411. [2] Cf. *Laing Charters*, 926. [3] *Ancram and Lothian Corresp.*, i. p. vii. [4] *Reg. Mag. Sig.* [5] *P. C. Reg.*, vi. 407. [6] *Fourteenth Rep. Hist. MSS. Com.*, App. iii. 32, 33. [7] *Reg. Mag. Sig.* [8] *Ibid.* [9] *Ancram and Lothian Corresp.*, i. 68, 75. He is confused with William Ker of Linton in Douglas and Wood's *Peerage*, and in Mr. Stewart's Ker article, *Gen.* ii. 290.

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and kind carriage to me here hath obliged me.'[1] On 27 September 1632 Lord Lothian, writing to his father, Sir Robert Ker of Ancrum, mentions having heard from 'my uncle, who tells me you persuade him to give over his place of *gend'arme* to Andro Abernethy.'[2] Thomas Ker must shortly after have returned to Scotland, as he was knighted by Charles I. on the occasion of his coronation visit to Scotland in 1633.[3] He is said to have married, first, Jean, daughter of James Ker of Chatto, and secondly, Mary Douglas, and to have been, by his first wife, ancestor of the Kers of Bughtrig.[4] Lord Lothian, writing to his father, Lord Ancram, in 1637, alludes to the help he meant to give Sir Thomas and his family.[5] One of his daughters, *Jean*, is said to have been married, first, as his second wife, to Sir John Ker of Lochtour, and secondly, in June 1652, to Sir John Wauchope of Niddrie.[6]

4. *Andrew*, on whose behalf the arbiters, acting for his family, signed the agreement entered into with Lord Roxburghe.[7] He is said to have died abroad, unmarried.
5. *George*, for whom his brother Sir Robert Ker of Ancrum signed the said letters of assurance.
6. *Isabel*, named in the above agreement with Lord Roxburghe, married to John Ker of Corbet.[8]

Robert, first Earl of Ancram, according to his own statement, was born in 1578.[9] He must have been, therefore, between twelve and thirteen years of age at the time of his father's murder in December 1590. The name of Robert Ker of Ancrum, Provost of Jedburgh, appears among those who signed the General Band against Border thieves, murderers, and oppressors, 29 October 1602, and it again appears under the same designation 24 February 1603.[10] He was served heir of his father William Ker in the lands of

[1] *Ancram and Lothian Corresp.*, i. 1. [2] *Ibid.*, 61. [3] Balfour's *Annals*, iv. 386. [4] For pedigree so far, see *Laing Charters*, No. 3267. [5] *Ancram and Lothian Corresp.*, i. 97. [6] *Herald and Gen.*, vi. 238; *ibid.*, vii. 222. [7] *Fourteenth Rep. Hist. MSS. Com.*, App. viii. 32. [8] *Acts and Decreets*, cccxxxii. 311. [9] *Ancram and Lothian Corresp.*, ii. 379. [10] *P. C. Reg.*, vi. 541.

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Ancrum, viz. Straw-waird and Braidlaw, in the lordship of Over Ancrum, 29 November 1603, and on 12 May 1604 he was served heir of his grandfather, Robert Ker of Ancrum, in the lands of Newton, in the parish of Bedrule.[1] As Robert Ker of Ancrum he appears in letters of assurance to Lord Roxburghe 4 July 1604, but in Lord Roxburghe's letter of 'humble apology,' 9 October 1606, he is addressed as Sir Robert Ker of Ancrum, having between those dates received the honour of knighthood. He signed the 'Letters of Slains' and other writs in favour of Lord Roxburghe.[2] Soon after the accession of James VI. to the English throne Robert Ker was appointed Groom of the Bedchamber in the household of Prince Henry and his sister, the Lady Elizabeth, at Aucklands, and warrants were issued for his apparel and wages 20 August and 31 December 1604.[3] He went abroad some time in 1607, and was in Paris in March 1608.[4] Soon after his return he was appointed Gentleman of the Bedchamber in Ordinary to Prince Henry. He resigned his office of Captain of the King's Guard in Scotland 30 November 1613, and was then appointed Gentleman of the Bedchamber to Prince Charles.[5] On 24 December 1616 he had a pension of £2400 Scots out of the first of his Majesty's customs, rents, and casualties of the Kingdom of Scotland.[6]

In February 1620[7] he had the misfortune to kill Charles Maxwell in a duel forced on him by his opponent. No one, not even Maxwell's own family, seemed to regret his fate, and after six months' banishment abroad Sir Robert received a special pardon, 23 October 1620.[8] He was in attendance on Prince Charles during his visit to Madrid in 1623, following him there in April, and returning with him in November.[9] He had a pension for himself and his wife, Lady Anne Ker, of £500, 24 April 1623.[10] On 9 April 1624 he had 'a gift of the escheat and whatsoever else had fallen to the King belonging to the late Earl of Lothian, by reason of his death.'[11] This was followed by an action on

[1] *Retours, Roxburgh*, 20, 48. [2] *Fourteenth Rep. Hist. MSS. Com.*, App. iii. 32, 33. [3] Warrants in Record Office, London. [4] *Ancram and Lothian Corresp.*, i. p. ix. [5] Balfour's *Annals*, ii. 44. [6] *Reg. Mag. Sig.* [7] Edin. Tests., 13 November 1623. [8] *Cal. State Docs.*, Dom: Series, 1619-1623, p. 185. [9] *Verney Papers*, Camden Soc., 107. [10] *Cal. State Papers*, 568. [11] *Hist. MSS. Com.*, *MSS. Earl of Mar*, 125.

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his part against the tenants and feuars of Newbattle 7 October 1625, and on the 18 January 1627 by a summons against the Countess of Lothian (as curatrix) to enforce the grant.[1] On the accession of Charles I. Sir Robert Ker was one of those ordered to produce grants of pension from the Crown.[2] He had a charter of the lands of Jedwardsfield, co. Peebles, with the patronage of the church and parish of Ancrum, co. Roxburgh, which was united to the lands of Jedwardsfield, 20 June 1625.[3] He had a charter 12 February 1631 of the lands, lordship, and barony of Newbattle, resigned by Sir James Richardson of Smeaton, and John Adinstoun, merchant burgess of Edinburgh, which had been apprised by them from Lady Anne and Lady Jean Ker, daughters of the late Earl of Lothian.[4] He was sworn a Privy Councillor 9 June 1631.[5] On 14 February 1632 he had a charter of the barony of Langnewton, Roxburghshire.[6] He was present, as Keeper of the Privy Purse, at the coronation of Charles I. at Holyrood 18 June 1633. On 24 June 1633 Sir Robert Ker was created EARL OF ANCRAME, LORD KERR OF NISBET, LANGNEWTOUNE, AND DOLPHINSTOUN, with remainder to his heirs-male by Lady Anne Stanley, whom failing, to William Ker, his eldest son by Elizabeth Murray, and his heirs-male, whom failing, to his other heirs-male, and their heirs-male.[7] In the conflict between the King and his subjects, which soon followed, Lord Ancram took no part. His sympathies were no doubt with the Master whom he had so long and so intimately served. His son Lord Lothian was a prominent leader on the Covenanting side. Yet the strong affection between them stood the test, and remained unbroken to the end.[8] Lord Ancram was said to have been removed from his place in the Bedchamber, and of the Privy Purse, 'for the zeal of his son, the Earl of Lothian, or for his own long infirmity—we know not which.'[9] He was, however, addressed as 'Gentleman of His Majesty's Bedchamber' up till March 1644. During the public troubles his pension fell into arrears, and he had to claim protection from the House

[1] Lothian Papers, quoted in *Ancram and Lothian Corresp.*, i. p. xlviii-xlix. [2] *P. C. Reg.*, 2nd ser., 187, 204. [3] *Reg. Mag. Sig.* [4] *Ibid.* [5] *P. C. Reg.*, 2nd ser., iv. 248. [6] *Reg. Mag. Sig.* [7] *Ibid.* [8] This is fully borne out in the *Ancram and Lothian Corresp.* [9] Baillie to Mr. William Spang, 12 February 1639, i. 116.

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of Lords, his creditors threatening to arrest him.[1] He paid his last visit to Newbattle in 1649, and finding he could not return to London without danger of arrest, he sailed from Leith for Holland, and arrived at Dordrecht in September 1650.[2] He subsequently lived at Amsterdam, in great poverty, which neither his family in London, who were almost starving, nor his son Lord Lothian, who had been put to the horn for public debts, had means to relieve. He died in Amsterdam in December 1654, his dead body being seized by his creditors, and kept unburied for four months. By the intervention of Cromwell, through the Dutch ambassador, the States of Holland gave orders for his burial.[3] Lord Ancram was a man of scholarly and refined tastes, and as Sir Robert Ker was one of the group of young Scots poets and versifiers at the English Court of James I. He was a friend and correspondent of William Drummond of Hawthornden, to whom he addressed his 'Sonnet in Praise of a Solitary Life.' He married, first, before 24 January 1607, Elizabeth, daughter of Sir John Murray of Blackbarony.[4] She died before 1620. Lord Ancram married, secondly, in 1621, Anne, only daughter of William Stanley, sixth Earl of Derby, by Elizabeth, eldest daughter of Edward Vere, seventeenth Earl of Oxford. She was the widow, without issue, of Sir Henry Portman of Orchard Portman, in the county of Somerset, who died 21 February 1621. She survived Lord Ancram only a short time, being buried in Westminster Abbey 15 February 1656-57.[5]

By the first marriage he had issue:—

1. WILLIAM, created Earl of Lothian 31 October 1631.

By his second marriage the Earl had:—

2. CHARLES, who succeeded his father as second Earl of Ancram in December 1654.
3. *Stanley*, who seems to have led an idle life, and to have been a trouble to his friends.[6] He was with his father in Holland in June 1651, who hoped 'to keep

[1] *Ancram and Lothian Corresp.*, i. p. xxxv. [2] *Ibid.*, p. xxiii. [3] William Malyn, Private Secretary to Cromwell, to the Earl of Lothian, *Ancram and Lothian Corresp.*, ii. 389. [4] On this date Sir Robert Ker granted a commission to Sir John Murray of Blackbarony, and Dame Elizabeth Murray, 'his dochtour, my spouse,' to manage his affairs in his absence abroad; *Ancram and Lothian Corresp.*, i. p. viii. [5] *Ibid.*, ii. 421. [6] *Ibid.*, 251.

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him more in restraynt' under his own eye. But he fell ill, and returned to his mother in England.[1] In September 1654 Lord Ancram writes to Lord Lothian, 'I dare not ask what is become of your weak brother Stanley.'[2] He was in France in June 1655, and in August 1666 he was in London 'hoping to obtain som new employment for soldiers.'[3] He is said to have died *s.p.* sometime after that date.

4. *Vere*, married, before 1654, to Dr. Wilkinson of Oxford, and had issue.[4]
5. *Elizabeth*, married, as his second wife, about 1663, to Colonel Nathaniel Rich, who commanded a regiment of Foot, under Lord Fairfax, and was one of the Army not members of Parliament, who were appointed judges on the trial of Charles I. In 1651 he was in Scotland with Cromwell, but in 1654 was committed by him to prison. After the Restoration he was imprisoned for a time in the Tower, probably for sitting on the trial of King Charles.[5]
6. —— a daughter.
7. —— a daughter.

These two daughters had pensions of £200 from Charles II. out of his privy purse, and seem to have been on bad terms with their brothers and sisters.[6]

Charles, second Earl of Ancram, succeeded his father in December 1654. He was elected member of Parliament for the borough of Thirsk, in Yorkshire, in 1660, and represented it till 1689. He spoke frequently in the House of Commons, and had a pension of £500 a year. He sat in the Parliament of Scotland in 1681.[7] He married before 1 May 1662,[8] and his wife was alive 5 February 1675-76. He had a son who predeceased him, 1676. He died without issue in September 1690, when his title devolved on his nephew by the half blood, Robert, fourth Earl and first Marquess of Lothian.[9]

III. William, third Earl of Lothian, eldest son of Robert, first Earl of Ancram, is supposed to have been born about

[1] *Ancram and Lothian Corresp.*, ii. 363. [2] *Ibid.*, 385. [3] *Ibid.*, 478. [4] *Genealogist*, ii. 292. [5] *Ancram and Lothian Corresp.*, ii. 464 and *note*. [6] *Ibid.*, 478. [7] *Acta Parl. Scot.*, viii. 231. [8] *Ancram and Lothian Corresp.*, ii. 459, but in announcing his marriage to his brother Lord Lothian he did not give the lady's name. [9] *Genealogist*, ii. 292.

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1605.[1] In March 1621 he was a student at Cambridge, but must have left without taking a degree, his name not appearing in the university records.[2] He was in Paris in April 1624.[3] He left Paris in November 1624, made the grand tour in Italy, returning by the St. Gothard through Switzerland to Paris.[4] In August 1627 he had a company in the regiment raised by the Earl of Morton in aid of the Duke of Buckingham's expedition for the relief of La Rochelle, then in difficulties on the island of La Rhé, but which came to a disastrous end before the Scottish contingent could sail from Portsmouth. In October 1628 he was with the regiment in the ineffectual attempt to relieve La Rochelle. In 1629 he was serving in the army of the States General of Holland, for which he had enlisted men in Scotland.[5] He was present at the surrender of Bois-le-Duc by the Spaniards to the Prince of Orange, after a siege of five months, 14 September 1629.[6] On the 9 December 1630 his marriage to Anne Ker, eldest daughter of the late Earl of Lothian, took place. Her father had left the Newbattle estates, to which she was heiress, deeply in debt. He had sold Prestongrange to Mr. Alexander Moriesoun, 11 June 1622.[7] Morphet and Leithinhopes in Peebles were sold to Sir James Preston of Penicuik 17 February 1623.[8] After his death his creditors apprised more of the remaining property. Sir Robert Ker of Ancrum having redeemed the lands, lordship, and barony of Newbattle and the lands of Eisthouses and Westhouses in the same lordship, obtained charters in his own favour from the Crown 12 February 1631 and 26 February 1631.[9] He resigned these lands on 30 July 1631, when they were granted by Crown charter to Sir William Ker and his wife, Lady Anne Ker, in conjunct infeftment, and to their heirs, whom failing, to Sir William Ker's heirs-male, whom failing, to Sir Robert's heirs-male, with reservation of a liferent to Sir Robert Ker.[10] On the 31 October 1631 Sir William Ker was created EARL OF LOTHIAN AND LORD KER OF NEWBATTLE. The Royal letter, dated Whitehall 31 October

[1] *Complete Peerage.* [2] Sir R. Ker to his son William, *Ancram and Lothian Corresp.*, i. 16. [3] *Ibid.*, p. xlvi. [4] Journal preserved at Newbattle. [5] *P. C. Reg.*, iii. 2nd ser., 169. [6] *Ancram and Lothian Corresp.*, i. 44, 47, 49. [7] *Reg. Mag. Sig.*, 29 August 1622. [8] *Ibid.*, 17 February 1624. [9] *Ibid.* [10] *Ibid.*

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1631, sets forth that the King, having duly examined and considered the cause wherein the earldom of Lothian and lordship of Newbattle doth presently stand, both by seeing the patent granted by King James to the late Earl, upon his resignation of the former made to Earl Mark, and the Act of Parliament confirming the same—plainly perceives that his purpose was that, failing heirs-male of his body, his eldest daughter, without division, should be heir both to his whole estate and honour in so far as it lay in him to establish it, upon condition that she should marry a well-born gentleman of the surname of Ker—and seeing that his eldest daughter, Lady Anne Ker, hath married Sir William Ker, son to Sir Robert Ker of Ancrum, and that Sir Robert hath upon the marriage redeemed the lordship of Newbattle, out of their hands who had comprised it for the late Earl's debts, and added his own estate and other competent means, whereby a perplexed and almost ruinated estate is made capable of the former dignity, and having also provided a portion to Lady Jean, the late Earl's younger daughter, the King creates the said William Ker of Ancrum, and his heirs-male, Earls of Lothian and Lords of Newbattle.[1] On 31 January 1632, at a meeting of the Privy Council at Holyrood, the Lord Chancellor produced the patent under the Great Seal, dated Whitehall, 31 October 1631, and delivered it to William, Earl of Lothian, who, being personally present, accepted the same with all humility upon his knees.[2] The King's reference to the patent resigned by Robert, Earl of Lothian, would seem to indicate some resignation differing from that made in March 1621, and confirmed by Act of Parliament,[3] which only refers to the estates. Lady Anne Ker has been styled 'Countess of Lothian in her own right,' but she is never so designed in deeds or charters, being designed simply Anne Ker, or Lady Anne Ker, till after her husband's creation as Earl of Lothian. The claim made by Robert, fourth Earl of Lothian, for the precedence of the first creation seems difficult to understand. On 1 March 1634 the Earl of Lothian had a charter of the lands and barony of Newbattle, of the lands and barony of Langnewton, Roxburghshire, of Neathorn, Berwickshire, of the

[1] Secretary Sir W. Alexander's Register of Letters, MS., 611. [2] *P. C. Reg.*, iv. 2nd ser., 418. [3] C. 49, iv. 639.

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lands of Woodheid, Ancrum-Spittell, and Linton, Roxburghshire, etc., reserving a liferent to the Earl of Ancram, which lands were erected into the earldom of Lothian and lordship and barony of Newbattle, with remainder to the heirs-male of the body of the said William, Earl of Lothian, failing whom, to the heirs-male of Robert, Earl of Ancram, failing whom, to the heirs and assignees of the said William whatsoever.[1] On the 26 February 1634 Lord Lothian writes to his father, referring to this charter, 'Now, my Lord, I cannot forget to tell you how extraordinarie an act I think you have doune to me is; nor do I think there are many examples of it, to give soe mutch away in youre owne time without consideration of youre other children. Believe me, if you had never doune anything for me before (as you have always doune extraordinarily), yet this is more than I ever could have deserved, but I can doe noe more but acknowledge it deutifully and thankefully, and that I doe in an extraordinarie measure.'[2] In 1632 Lord Lothian had been negotiating with the Earl of Haddington, that 'heaper and hatcher of wealth,' for the purchase of the lands and barony of Jedburgh, which he and his son Lord Binning had acquired from the creditors of Sir John Ker of Jedburgh. The purchase was completed for a nominal 42,000 merks just before Lord Haddington's death in May 1637, and Lord Lothian wrote to Lord Ancram that Lord Binning without his father's knowledge had abated 6000 merks of the price.[3] On 6 March 1642 Lord Lothian had a charter of the lands and barony of Jedburgh.[4] His public career as a leading supporter of the Covenanting cause began by his signing the 'Supplication against the Service Book' 20 September 1637, and the National Covenant in February 1638. From this time onward he was a steady supporter of Argyll's policy. He sat in the Glasgow Assembly 21 November 1638 as ruling elder of Dalkeith. He was with the Covenanting army at Duns in June 1639, and was one of those invited to visit King Charles at Berwick. On 21 August 1640 he crossed the Tweed with General Leslie, in whose army he was a colonel, and after the surrender of Newcastle he was appointed Governor of that town, 31 August 1640.[5] On the 16

[1] *Reg. Mag. Sig.* [2] *Ancram and Lothian Corresp.*, i. 81, 82. [3] *Ibid.* i. 90, 91. [4] *Reg. Mag. Sig.* [5] Sir James Balfour's *Annals*, ii. 383-388.

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November 1641 he was appointed by Parliament one of the Commissioners to confer with the English Commissioners for a Treaty of Peace.[1] On the rebellion breaking out in Ireland Lord Lothian was appointed to the command of a regiment levied in Scotland. His regiment sailed 24 April 1642, but whether he ever joined in person is doubtful.[2] In November 1642 he was sent by the Privy Council of Scotland on a mission to France to obtain a renewal of the privileges formerly granted to the Scots resident in that country. He returned to England on 27 September 1643, and reported himself to the King at Oxford, when he was arrested on some unfounded suspicion of treachery, and declining to take an oath not to take up arms without express direction from His Majesty, was sent prisoner to Bristol Castle, where he remained till March 1644, when he was exchanged for Colonel Goring.[3] His signature appears on a copy of the Solemn League and Covenant preserved at Newbattle Abbey, dated October 1643, but it must have been signed by him after his return from France. On 4 September 1644 he left Edinburgh with the Marquess of Argyll, directed by the Estates of Parliament, to pursue Montrose in the Highlands, after his defeat of Lord Elcho at Tippermuir. 'That strange coursing—thyrce round about from Spey to Athole, wherein Argyll and Lothian's sojirs were tyred out'—Argyll, much grieved, laid down his commission, which neither Lothian nor Callendar would take up.[4] Montrose retired into Badenoch, and the Covenanting troops dispersed in November 1644. In March 1645 Lord Lothian was appointed Lieutenant-General of the Scots Army in Ireland, but does not seem to have taken up his commission, as he was present at the meetings of Parliament during this year.[5] He had a commission to attend the Scots Army in England early in 1646.[6] He was with General Leslie's forces before Newark, when King Charles arrived there 5 May 1646, and later on received an order to go to the King at Newcastle.[7] He remained at Newcastle till the King was given up to the English Commissioners and attended him, by order, to Holmby House, 3 February 1647. In

[1] *Reg. Mag. Sig.*, 22 November 1641. [2] *Ancram and Lothian Corresp.*, p. lxv. [3] Baillie, ii. 124. [4] *Ibid.*, 262. [5] *Acta Parl. Scot.*, vi. pp. i. 287-290. [6] *Ibid.*, i. 571a. [7] *Ibid.*, i. 641b.

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December 1648 he was sent to London as one of three Commissioners from Scotland to protest against the trial of the King, and he signed remonstrances addressed to the Speaker of the House of Commons, 6, 19, and 22 January 1649, and to Cromwell and Fairfax on the 29 January 1649. He was appointed Secretary of State in room of the Earl of Lanark 10 March 1649.[1] This appointment was ratified by Charles II. in 1650, and Lord Lothian held the Seals till after the Restoration. On 9 March 1650 he left Scotland as one of the Commissioners to treat with Charles II. at Breda.[2] He accompanied the King to Scotland, landing on 23 June 1650.[3] After the Scots defeat at Worcester, he lived in retirement at Newbattle, suffering not a little under Cromwell's rule. On 2 July 1658 the Protector granted to Charles Damancell in Strathmiglo the lands and barony of Newbattle, the lands and barony of Langnewton, of Ancrum-Spittell, of Ferniehirst, etc., apprised at the instance of said Charles on 1 April 1658 from William, Earl of Lothian, for 25,050 merks, etc.[4] On the Restoration Lord Lothian proceeded to London, had an interview with the King, and presented his paper of 'vindication.'[5] He at the same time gave up his seals of office as Secretary of State. He is said to have received a pension of £1000 on his resignation.[6] But there is no exact evidence of this. He subsequently refused to take the abjuration oath, which refusal incapacitated him for sitting in Parliament. And he was fined, in 1662, in the sum of £6000.[7] He resigned his whole estates on 5 August 1665 in favour of his son Robert, Lord Ker of Newbattle, retaining a liferent. He seems to have sold the Ancrum property before 1670. He lived in retirement at Newbattle during the rest of his life, and died there in October 1675. He was buried beside his wife, who had predeceased him. He married, 9 December 1631, Anne, elder of the two daughters of Robert, second Earl of Lothian. The Countess of Lothian died at Newbattle 26 March 1667, and was buried there. They had issue:—

1. Robert, born at Newbattle 8 March 1636, afterwards fourth Earl and first Marquess of Lothian.

[1] *Acta Parl. Scot.*, vi. c. 221, ii. 278. [2] *Ibid.*, c. 6, ii. 557. [3] Balfour's *Annals*, iv. 14, 18, 61. [4] *Reg. Mag. Sig.* [5] *Ancram and Lothian Corresp.*, ii. 418. [6] Mackenzie, *Mem. Affairs of Scot.* [7] Wodrow's *Hist.*, App. i. No. xxxiii.

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2. *Sir William*, designed 'of Halden,' born 22 December 1638. He was educated at Leyden and Saumur, with his eldest brother, and was six years abroad under the charge of a tutor. He had, 3 January 1651, a patent from Charles II., dated at Perth, of the office of Director of Chancery in Scotland for life, after the death of Sir John Scot of Scotstarvet, then holding the office, or when a vacancy occurred otherwise.[1] On 27 February 1661 he had a confirmation of the first patent[2] superseding Sir John Scot, who reluctantly demitted office, alleging he had been 'danced out of it,' William Ker being known as a dancer and fencer.[3] He was knighted on receiving office. He married, before 19 August 1664 (contract 30 June 1664[4]), Agnes, eldest daughter of the deceased John Cockburn of Ormiston, and had a son *William*, who died in 1721, and was buried at Kensington.[5]
3. *Charles*, born 17 July 1642. He married, about 1666, Cecily Scott, daughter of Patrick Scott of Langshaw, and had a charter to him and his wife of the barony of Abbotrule, 26 March 1667.[6] Ancestor of the Kers of Abbotrule.[7]
4. *Harry*, born 7 March 1645; died 12 October 1648.
5. *John*, born 3 August 1647; said to have died young, but it is probably he who is designed in a writ of 1722 as 'the deceased Captain John Ker, brother-german of the deceased Robert, Marquess of Lothian.' Captain John had a lawful daughter, *Frances*, married (contract 21 April 1722) to George Livingston of Bedlormie.[8]
6. *Anne*, born 26 November 1631. Married 1 January 1652 to Alexander, Master of Saltoun, eldest son of Sir Alexander Fraser of Philorth, afterwards tenth Lord Saltoun. She died 30 August 1658, leaving issue.
7. *Elizabeth*, born 6 September 1633. Married, 23 August 1649, to John, tenth Lord Borthwick.
8. *Jeane*, born 13 January 1635; died October 1636.

[1] *Reg. Mag. Sig.* [2] *Acta Parl. Scot.*, vii. 44. [3] *Ancram and Lothian Corresp.*, ii. 440. [4] *Gen. Reg. Sas.*, x. 206. [5] Wood's Douglas's *Peerage*. [6] *Reg. Mag. Sig.*, Lib. 61, No. 330. [7] See Pedigree and Writs in *Rulewater and its People*, by George Tancred of Weens, 184-188. [8] *Reg. Mag. Sig.*, MS. Lib. 90, No. 64, 26 July 1722.

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9. *Margaret*, born 6 October 1637; died March 1643.
10. *Mary*, born 28 March 1640. Married to James Brodie of Brodie, eldest son of Alexander Brodie of Brodie, one of the Senators of the College of Justice, 28 July 1659. She died March 1708, having predeceased her husband by a few days.
11. *Margaret*, born 26 June 1645. Married to James Richardson of Smeatoun in 1666.
12. *Vere*, born 24 April 1649. Married, 28 January 1668, to Lord Neil Campbell, second son of the Marquess of Argyll. Died 17 April 1674.
13. *Henrietta*, born 2 February 1653. Married (contract dated 27 November 1673) to Sir Francis Scott of Thirlestane. She died at Edinburgh, 30 June 1741, in her eighty-ninth year.
14. *Lilias*, born 29 July 1654; died unmarried.

IV. Robert, fourth Earl and first Marquess of Lothian, born at Newbattle, 8 March 1636, succeeded his father in October 1675. As Lord Ker of Newbattle he, with three other eldest sons of Earls, carried King Charles II.'s train at his coronation at Scone 1 January 1651. Under the charge of Mr. Michael Young their tutor, he and his younger brother William were sent to Leyden for their education, arriving there in June 1651, whence they removed to Saumur on 13 November 1653, and then about the end of 1654 to Angers, 'to learn to ryde the great horses,' continuing abroad till April 1657.[1] In 1658 he was proposed as a husband for Mary, Countess of Buccleuch.[2] On the 15 September 1658 he put forward a claim to the earldom of Roxburghe, as nearest heir-male to Robert, Earl of Roxburghe, and his son Henry, Lord Ker, both deceased without leaving male heirs, basing his claim on his grandfather Robert, second Earl of Lothian, being nearest heir-male to Robert, first Earl of Roxburghe, recently deceased, and on the infeftment made in 1621 on his resignation of his lands, whereby his eldest heir-female and the heirs-male of her body should succeed on certain conditions, which were fulfilled. Lord Ker further

[1] *Ancram and Lothian Corresp.*, ii. 351 *note*. [2] *Scotts of Buccleuch*, i. 349.

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stated that his 'uncle John Ker, brother-german to his goodsire, who without controversie is heir-male,' being himself childless, had disponed to him his right and succession to the lands and living of Roxburghe, honours and dignities thereof, as heir to Robert, Earl of Roxburghe, and Henry, Lord Ker, his son. Nothing came of this claim, but in 1661 the Earl of Roxburghe challenged the right of Lord Ker of Newbattle to bear the family name as a title, which he alleged was never borne except by the eldest son of the chief of the name. This the Earl of Lothian denied, and produced his patent, in which the second title stands 'Lord Kerr of Newbattle.' Parliament, however, decreed that the title 'Lord Ker' belonged only to the eldest son of the Earl of Roxburghe, and was not to be borne by the eldest son of the Earl of Lothian.[1] Lord Newbattle served as a volunteer in the Dutch war of 1673. After his succession to the title, he protested in the Parliament of 1678 against the precedence over him of the Earl of Roxburghe, and other Earls created between 1606 and 1631, and obtained a patent under the Great Seal, 23 October 1678, confirming the precedency of 1606. On 4 January 1686 he was sworn a Privy Councillor, but on 17 September following, he and four other Privy Councillors were removed by James II. (probably on the question of the repeal of the Penal Laws).[2] He sat in the Convention of Estates after the landing of the Prince of Orange, signed the Act declaring the legality of their meeting,[3] and a letter of congratulation to the Prince. He was sent with Lord Tweeddale by the Convention to demand the surrender of Edinburgh Castle by the Duke of Hamilton 14 March 1689. He was sworn a Privy Councillor 3 June 1690.[4] On the death of his half-brother Charles, Earl of Ancram, in 1690, he succeeded him as Earl of Ancram, Lord Ker of Nisbet, Longnewton, and Dolphingston. On the death of Robert, second Lord Jedburgh, without issue, in 1692, the Earl of Lothian also became direct heir-male and representative of Thomas Ker, first of Ferniehirst, 1484, by descent through Sir Robert Ker of Ancrum, Earl of Ancram, from Robert Ker of Woodheid and Ancrum, second son of Sir Andrew Ker of Ferniehirst, the whole

[1] *Acta Parl. Scot.*, vii. c. 197, 190, App. 62-63. [2] Fountainhall, *Hist. Notes*, 686, 750. [3] *Acta Parl. Scot.*, ix. 9 *n.* [4] *Scotts of Buccleuch*, ii. 323.

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male line of Sir Andrew Ker's eldest son Sir John Ker having died out in the person of the second Lord Jedburgh. Eventually the Ancram succession brought the male representation of the ancient line of Cessford into the Lothian family. In 1692 the Earl was appointed Lord High Commissioner to the General Assembly. He made a speech remarkable for moderation and liberality in reference to the King's recommendation that episcopal ministers who accepted the Confession of Faith should be received into the Kirk, but it was not taken up, and no action being taken on it, Lord Lothian dissolved the Assembly.[1] The question of precedence came up again in 1690, when he had a decree in his favour against the Earl of Roxburghe and other Earls created between 1606 and 1631, but in 1695 a decree was given that the Earls of Roxburghe, Galloway, Haddington, Kellie, and Lauderdale, all created between those dates, should take precedence over him.[2] He had a charter of resignation of the lands, lordship, and earldom of Lothian 9 August 1700, and on 23 June 1701 he had a patent under the Great Seal creating him MARQUESS OF LOTHIAN, EARL OF ANCRAM, VISCOUNT OF BRIEN, and LORD KERR OF NEWBOTTLE, OXNAM, JEDBURGH, DOLPHINGSTONE, and NISBITTS, to him and the heirs-male of his body, whom failing, to the other heirs-male of the entail succeeding him in his estate in all time to come.[3] In 1702 he was appointed Justice-General and a Commissioner to treat for the Union.[4] He died on 15 February 1702-3. He married (contract dated January 1660-61) Jean, second daughter of Archibald, Marquess of Argyll, by Margaret, second daughter of William, ninth Earl of Morton. On 27 May 1661, the day of her father's execution, Lord Ker wrote a touching and most affectionate letter to his wife. He had been present at the last scene.[5] She died 18 May 1700.[6] Issue:—

1. WILLIAM, second Marquess of Lothian.
2. *Charles*, appointed Director of Chancery in 1703. He had a renewal of the Commission of Director in 1722, to him and his son Robert during their joint lives.

[1] Burton's *Hist. Scot.*, vii. 450-453. [2] *Acta Parl. Scot.*, ix. 111*b*, App. 141*a*, 389. [3] *Reg. Mag. Sig.*, MS. Lib. 77, No. 77. [4] *Acta Parl. Scot.*, xi. App. 145*b*. [5] *Ancram and Lothian Corresp.*, ii. 448. [6] Funeral Entry, Lyon Office.

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He purchased the estate of King's Cramond in 1707, and sold it in 1718. He died in 1735, having married Janet, eldest daughter of Sir David Murray of Stanhope, by Anne, second daughter of Alexander, second Earl of Kincardine. She died in Edinburgh 1 December 1755.[1] They had issue fourteen children.

3. *John*, baptized at Newbattle 1 April 1673. An officer in the Army, appointed to the command of the 31st Regiment 8 September 1715, which he held till his death. He was buried at Kensington 14 August 1728. He is said to have died unmarried, but on 8 December 1720 the death is noted of —— the 'Lady of Lord John Kerr, brother of the Marquess of Lothian.'[2]
4. *Mark*, baptized at Newbattle 1676, an officer in the Army, captain 1 January 1693. He was wounded at the battle of Almanza 25 April 1707. He was lieutenant-colonel 15th Regiment, acted as brigadier-general at the capture of Vigo. He got the command of the 29th Regiment 1712, of the 13th Regiment 1725, and of the 11th Dragoons 29 May 1732, which he held till his death. He was appointed Governor of Guernsey 1740; of Edinburgh Castle 30 July 1745; Major-General on the Staff in Ireland 1751, and ranked as general in the Army from 1743. He died in London, unmarried, 2 February, and was buried at Kensington 6 February 1752.
5. *James*, baptized at Newbattle 1679; died unmarried.
6. *Margaret*, baptized December 1670; died young.
7. *Jean*, baptized December 1671; died young.
8. *Mary*, baptized October 1674; married, 13 December 1692, to James, Marquess of Douglas, and had issue. She died in Edinburgh 22 January 1736, and was buried at Holyrood.
9. *Margaret*, baptized May 1678; died young.
10. *Annabella*, baptized October 1682; died young.

V. William, second Marquess of Lothian, K.T., born in 1661,[3] succeeded his father 15 February 1703. He became

[1] *Gent.'s Mag.* [2] Musgrave's *Obituary*, quoting Historical Register and Chronicle, 848. [3] Burke.

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Lord Jedburgh in his own right on the death of Robert, second Lord Jedburgh, without male issue, on 4 August 1692, in virtue of a contract signed at Newbattle, 15 September 1669, between his grandfather William, third Earl of Lothian, and Robert, second Lord Jedburgh, settling the lands, honour, and dignity of Jedburgh, failing heirs-male to the said Robert, Lord Jedburgh, on William, Master of Newbattle, and his heirs-male, confirmed by Charles II. 11 July 1670 (*see title* Jedburgh). Lord Newbattle, who was Master of Newbattle at the date of the contract, accordingly assumed the title, and sat and voted in Parliament as Lord Jedburgh 1692, 1695, 1696, 1698, 1700, 1702.[1] He had a charter to William, Lord Jedburgh, of the lands of Nether Chatto, Roxburghshire, 8 March 1695. He was appointed colonel of the 7th Dragoons 1 October 1696. He was invested with the Order of the Thistle 1705. He was a steady supporter of the Union, voting with the Government on the clauses. He had the command of the 3rd Foot Guards bestowed on him 25 April 1707, and ranked as lieutenant-general in the Army 1708. He was elected a Representative Peer in 1708, but owing to some informality in the voting the House of Lords struck out his name. He was obnoxious to Queen Anne's Tory Government, and in 1713 he was deprived of his command of the Guards. In 1715 he was chosen one of the Representative Peers, and was appointed Major-General on the Staff in Scotland. He died in London 28 February 1722, and was buried in Henry VII.'s Chapel in Westminster Abbey on 6 March following. He married (contract 30 June 1685) his cousin-german Jean, third daughter of Archibald, ninth Earl of Argyll, by Mary, eldest daughter of James, fourth Earl of Moray. She died 31 July 1712 and was buried on 4 August at Newbattle.[2] They had issue:—

1. WILLIAM, third Marquess of Lothian, K.T.
2. *Anne*, married, first, to Alexander, seventh Earl of Home, and had issue; she was married, secondly, to Henry Ogle, and died 1727.
3. *Jean*, married, before 1703, to William, fifth Lord Cranstoun, and had issue. She died March 1768.

[1] *Acta Parl. Scot.* of those dates. [2] Funeral Entry, Lyon Office.

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4. *Elizabeth*, married to George, Lord Ross, and had issue. She died 22 May 1758.
5. *Mary*, married to Alexander Hamilton of Ballincrieff, representative of the Innerwick family, M.P. for Linlithgow, and Postmaster-General for Scotland. She had issue, and died 17 November 1768.

VI. WILLIAM, third Marquess of Lothian, K.T., succeeded his father 28 February 1722. He voted at the election of Scots Representative Peers as Lord Jedburgh in 1712, during his father's lifetime. He was elected a Representative Peer on the 19 February 1731, re-chosen at the general elections in 1734, 1741, 1747, and 1754, thus sitting in Parliament for thirty-four years. He was invested with the Order of the Thistle in 1734, was Lord High Commissioner to the General Assembly from 1732 to 1738, both inclusive, was in 1739 appointed Lord Clerk Register of Scotland, which office he resigned in 1756, and died at Lothian House, Edinburgh, 28 July 1767. He was buried at Newbattle Abbey. He married, first, Margaret, daughter of Sir Thomas Nicholson of Kemnay, Aberdeenshire, Baronet. She died at Newbattle Abbey 30 September 1759. He married, secondly, 1 October 1760, his cousin Jean Janet, born 6 April 1712, eldest daughter of Lord Charles Ker of Cramond, by Janet, eldest daughter of Sir David Murray of Stanhope. By her he had no issue. She died at Lothian House, Canongate, 26 December 1787.

By his first wife he had issue:—

1. WILLIAM HENRY, fourth Marquess of Lothian, K.T.
2. *Robert*, who had a cornet's commission in the 11th Dragoons 1739. He fell at the battle of Culloden, 16 April 1746, being then captain of Grenadiers in Burrel's Regiment, and was the person of greatest distinction who was killed there. He was in the bloom of youth, and extremely handsome.[1]
3. *Jane*, died young.

VII. WILLIAM HENRY, fourth Marquess of Lothian, K.T., succeeded his father 28 July 1767, had a cornet's commission in 1735, a company in the 11th Foot 1739, and in

[1] Home, *Hist. Rebellion*, 1745, iii. 215.

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the first Regiment of Foot Guards 1741. He was aide-de-camp to the Duke of Cumberland at Fontenoy 30 April 1745, where he was severely wounded, and was promoted to the rank of colonel in the Army 4 June following. He was lieutenant-colonel of the 11th Dragoons 1745, and commanded the cavalry on the left wing at the battle of Culloden 16 April 1746. After that battle he had command of the forces at Aberdeen till August. He accompanied the Duke of Cumberland to the Continent, in December 1746, got the command of the 25th Regiment of Foot 1747, and in 1752 succeeded his grand-uncle Lord Mark Ker in the colonelcy of the 11th Dragoons, which he retained till his death. He was major-general 1755; lieutenant-general 1758, and general 1770. He served as a lieutenant-general under the Duke of Marlborough in his expedition to the coast of France 1758. He was elected M.P. for Richmond 1747, and was re-chosen at the general elections 1754, 1761, but resigned his seat in 1763. After his succession to the title he was chosen a Scots Representative Peer 26 October 1768, and was invested with the Order of the Thistle on the same day. He died at Bath 12 April 1775, aged sixty-five years. He was known as Lord Jedburgh till he married, when he dropped that title for Earl of Ancram. He married, in 1735, Caroline, only daughter of Robert D'Arcy, Earl of Holdernesse. She was great-grand-daughter of the Duke of Schomberg, who fell at the battle of the Boyne in 1690, and of Charles Louis, Elector Palatine, and by her, who died 15 November 1778, having survived him three years, the Marquess had issue:—

1. William John, fifth Marquess of Lothian.
2. *Louisa*, married at Dumfries, 25 December 1759, to Lord George Henry Lennox, second surviving son of Charles, second Duke of Richmond and Lennox, and had issue.
3. *Wilhelmina Emilia*, married, in London, 2 January 1783, to Colonel John M'Leod, R.A., and had issue.

VIII. William John, fifth Marquess of Lothian, K.T., born 13 March 1737; succeeded his father 12 April 1775. He had a commission in his father's regiment, the 11th Dragoons, 26 June 1754, was successively lieutenant and

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captain in that regiment, captain of a troop of the 5th Dragoons, major of the 18th Dragoons, lieutenant-colonel 12th Dragoons, of the 4th Regiment of Horse, and 2nd troop of Horse Guards. He was invested with the Order of the Thistle 11 October 1776, and promoted to the command of the 1st troop of Horse Guards 12 December 1777. He was elected a Scots Representative Peer 24 September 1778; and re-chosen at the general elections 1780 and 1784. The Horse Guards being changed into Life Guards, Lord Lothian was appointed colonel of the 1st Regiment of Life Guards 8 July 1788. On the question of the Regency he voted for the right of the Prince of Wales, and signed the protest to that effect December 1788. On the King's recovery he was in consequence removed from his command, which occasioned a discussion in the House of Commons 17 March 1789. He got the colonelcy of the 11th Dragoons, so long in his family, 23 October 1798, and ranked as a general in the Army. He died in 1815. He married, in Ireland, 15 July 1762, Elizabeth, only daughter of Chichester Fortescue of Dromiskin, co. Louth, by Elizabeth, eldest daughter of Richard Wellesley, first Lord Mornington.[1] She was born 3 April 1745, and died in Portland Place, London, 30 September 1780. Issue:—

1. William, sixth Marquess of Lothian, K.T., born 4 October 1763.
2. *Charles Beauchamp*, born 19 July 1775, an officer in the 10th Dragoons. He married Elizabeth, daughter of William Crump of Farnham, and died 20 March 1816, having had issue. She died in 1830.
3. *Mark Robert*, vice-admiral R.N., born 12 November 1776; entered the Navy, was an officer in the *Lion*, 64 guns, with Lord Macartney, in his famous visit to China, 1792. He was present at the capture of Minorca in November 1798. He married, 18 July 1799, Charlotte, born 11 February 1778, third daughter of Randal William Macdonnell, sixth Earl, and Marquess of Antrim; she succeeded as Countess of Antrim in her own right (creation of 1785), on the death of her elder sister. She predeceased her husband, dying 26 October 1835. Lord Mark Ker

[1] *Exshaw's Magazine.*

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died 9 September 1840. They had a large family, two of their sons succeeding as fourth and fifth Earls of Antrim.

4. *Robert*, born 14 September 1780; major-general, K.H.; married, 14 June 1806, Mary, daughter of the Rev. Edmund Gilbert, by whom he had issue. He died 23 June 1843; his widow died 27 November 1861.
5. *Elizabeth*, born 2 September 1765; married, 20 November 1794, to John, tenth Lord Dormer, without issue. She died 13 August 1822.
6. *Caroline Sidney*, born 8 September 1766.
7. *Mary*, born 5 December 1767; married, at Twickenham, 8 December 1788, to Colonel the Hon. Frederick St. John, second son of Frederick, second Lord Bolingbroke. She died 6 February 1791, having had issue.
8. *Louisa*, born 30 November 1768; married, 2 June 1793, to Arthur Atherley, and died in 1819, having had issue.
9. *Harriet*, born 12 October 1770; died young.

IX. William, sixth Marquess of Lothian, K.T., born 4 October 1763, succeeded his father in 1815. During the greater part of his life he was known as Earl of Ancram. He was Lord-Lieutenant of Midlothian and Roxburghshire, and colonel of the Edinburgh Militia. He was created a Peer of the United Kingdom, as BARON KER OF KERSHAUGH, 17 July 1821. He died 27 April 1824. He married, first, at Marylebone, 14 April 1793, Henrietta Hobart, eldest daughter and co-heir of John, second Earl of Buckinghamshire, by Mary Anne, daughter of Sir Thomas Drury, Bart. She was born 7 April 1762, and was married, first, to the Earl of Belmore, which marriage was dissolved by Act of Parliament. She died in New Norfolk Street, Grosvenor Square, 14 July 1805, and was buried at Newbattle 13 August. The Marquess married, secondly, at Dalkeith House, 1 December 1806, Harriet Montagu, youngest daughter of Henry, third Duke of Buccleuch, by Elizabeth, daughter of George, Duke of Montagu. She was born 18 December 1780, and died 18 April 1833. By his first marriage he had issue:—

1. John William Robert, seventh Marquess of Lothian.
2. *Schomberg Robert*, born 15 August 1795.

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3. *Rev. Henry Francis Charles*, M.A., formerly rector of Dittisham, Devon; born 17 August 1800; married, 10 September 1832, Louisa Dorothea, only daughter of General the Hon. Sir Alexander Hope, G.C.B. Lord Henry died 7 March 1882, leaving issue by his wife, who died 18 January 1884.
4. *Isabella Emily Caroline*, born 7 December 1797; died 19 December 1858.

By his second marriage the sixth Marquess of Lothian had issue:—

5. *Charles Lennox*, born in 1814; lieutenant-colonel, late 3rd Batt. Black Watch; formerly A.D.C. to the Lord-Lieutenant of Ireland; married, 22 October 1839, Charlotte Emma, sister of Lord Hanmer. She predeceased him, dying 10 April 1887. He died 15 March 1898, having had issue.
6. *Mark Ralph George*, born 15 December 1817; G.C.B.; general in the Army 11 November 1878; colonel 13th Somerset Light Infantry 22 February 1880; retired 4 April 1882; served in the Crimea and during the Indian Mutiny; died unmarried, 17 May 1900.
7. *Frederic Herbert*, born 30 September 1818; retired admiral R.N.; Extra Groom-in-waiting to Queen Victoria; Bath King of Arms; married, 13 January 1846, Emily Sophia, daughter of General Sir Peregrine Maitland, G.C.B., Governor and Commander-in-chief at the Cape, by Sarah, daughter of the fourth Duke of Richmond. He died 15 January 1896, leaving issue by her, who died 16 December 1891.
8. *Elizabeth Georgiana*, born at Newbattle 25 September 1807; married, 25 October 1831, to Charles, seventeenth Lord Clinton; and died 19 March 1871, leaving issue.
9. *Harriet Louisa Anne*, born at Newbattle 19 October 1808; married, 13 June 1834, to Sir John Stuart Forbes of Pitsligo, eighth Baronet, and died 24 April 1884, leaving issue.
10. *Frances*, born at Newbattle 9 October 1810; married, 11 June 1848, to George Wade, and died 25 March 1863.
11. *Anne Katherine*, died 6 December 1829.

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12. *Georgiana Augusta*, to whom George IV. stood sponsor, married, 25 July 1849, to the Rev. Granville Hamilton Forbes, Rector of Broughton, Northamptonshire, and had issue. She died 12 February 1859.

X. JOHN WILLIAM ROBERT, seventh Marquess of Lothian, born 1 February 1794, succeeded his father 27 April 1824. He was Lord-Lieutenant of Roxburghshire, and colonel of the Edinburgh Militia. He married, 19 July 1831, Cecil Chetwynd, younger daughter of Charles, second Earl Talbot, by Frances Thomasine, eldest daughter of Charles Lambart of Beau Park, Meath. He died 14 November 1841. His widow died at Rome 13 May 1877. Issue:—

1. WILLIAM SCHOMBERG ROBERT, eighth Marquess of Lothian.
2. SCHOMBERG HENRY, ninth Marquess.
3. *Ralph Drury*, born 11 August 1837, major-general (retired), late colonel 10th Hussars, C.B., General commanding troops at Curragh 1891-96. Married, 24 July 1878, Anne, daughter of the fourteenth Duke of Norfolk, and has issue.
4. *Walter Talbot*, K.C.B., born 28 September 1839, Admiral of the Fleet, Naval A.D.C. to Queen Victoria, Naval Lord of the Admiralty 1892-95, in command of Channel Squadron 1895-97, senior Naval Lord at the Admiralty 1899. Married, 18 November 1873, Amabel (died 15 October 1906), youngest daughter of George Augustus Frederick, sixth Earl Cowper, and has issue.
5. *John Montagu Hobart*, born 24 April 1841; died 2 January 1855.
6. *Cecil Elizabeth*, died unmarried 13 February 1866.
7. *Alice Mary*, married, 20 June 1870, to Thomas Gainsford, J.P., D.L. of Offington, Sussex. She died 25 January 1892, leaving issue.

XI. WILLIAM SCHOMBERG HENRY, eighth Marquess of Lothian, born 12 August 1832, succeeded his father 14 November 1841. Married, 12 August 1857, Constance Harriet Mahonesa, second daughter of Henry John Chetwynd, eighteenth Earl of Shrewsbury, by Sarah Elizabeth, only surviving daughter of Henry, second Marquess of

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Waterford. He died, without issue, 4 July 1870. His widow died on 10 October 1901, and both were buried in Jedburgh Abbey.

XII. SCHOMBERG HENRY, ninth Marquess of Lothian, K.T., P.C., LL.D., born 2 December 1833, succeeded his brother 4 July 1870. He was D.L. for Roxburghshire, Lord Rector University of Edinburgh 1887-90, Hon. LL.D., was formerly in the Diplomatic Service, Secretary of State for Scotland and Keeper of the Great Seal of Scotland 1887-92, hon. colonel late 3rd Battalion the Royal Scots Lothian Regiment, Captain-General Royal Company of Archers, and Gold Stick of Scotland, Pres. Society of Antiquaries, Scot., Knight of Grace of the Order of St. John of Jerusalem. Married, 23 February 1865, Victoria Alexandrina, eldest daughter of Walter Francis, fifth Duke of Buccleuch, K.G., by Charlotte Anne, youngest daughter of Thomas, second Marquess of Bath, K.G. He died 17 January 1900. His widow married, secondly, 21 February 1903, Bertram Talbot, second son of the Right Hon. John Gilbert Talbot, M.P. By her the Marquess had issue:—

1. *Walter William Schomberg*, Earl of Ancram, born 29 March 1867. Captain 3rd Battalion Royal Scots Lothian Regiment, A.D.C. to Governor of New South Wales. Died unmarried, June 1892.
2. *Schomberg Henry Mark*, born 4 August 1869; died September 1870.
3. ROBERT SCHOMBERG, tenth Marquess of Lothian.
4. *Cecil Victoria Constance*, born 14 February 1866; married, 4 June 1889, to her cousin-german, John Walter Edward, Lord Montagu of Beaulieu, and has issue.
5. *Margaret Isobel*, born 12 June 1868.
6. *Mary*, born 25 December 1870; married, 7 December 1897, to Henry Kidd of Lowood, Melrose, and has issue.
7. *Helen Victoria Lilian*, born 9 December 1872; married, 5 April 1902, to Major Frederic Walter Ker, D.S.O., third son of the late Admiral Lord Frederic Ker, and has issue.
8. *Victoria Alexandrina Alberta* (for whom Queen

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Victoria was sponsor), born 7 November 1876; married, 12 November 1903, to Captain William Sullivan Gosling, Scots Guards, second son of Robert Gosling of Hassobury, Essex.

9. *Isobel Alice Adelaide*, born 25 September 1881; married, 28 October 1907, to James Cospatrick Scott, eldest son of the Hon. Henry Robert Scott.

XIII. Robert Schomberg, tenth Marquess of Lothian, D.L. Roxburghshire, born 22 March 1874, succeeded his father 17 January 1900.

Creations.—Lord Newbottle 28 October 1587; Earl of Lothian 10 July 1606; Earl of Lothian and Lord Newbottle 31 October 1631; Marquess of Lothian, Earl of Ancram, Viscount of Briene, Lord Ker of Newbottle, Oxnam, Jedburgh, Dolphingstoun and Nisbet, 23 June 1701; all in the Peerage of Scotland. Baron Ker of Kershaugh 17 April 1821, in the Peerage of the United Kingdom.

Arms (not recorded in Lyon Register, but given in Peers' Arms ms.).—Quarterly: 1st and 4th, azure, the sun in his splendour or as a coat of augmentation; 2nd and 3rd, per fess gules and vert, in a chevron argent between three mascles in chief or, and a unicorn's head in base of the third, horned of the fourth, and three mullets sable, for *Ker of Cessford.*

Crest.—The sun in his splendour.

Supporters.—Dexter, an angel proper, crowned and winged or; sinister a unicorn argent, armed, unguled and maned or.

Motto.—*Sero sed serio.*

[E. M. F.]

Note.—Some modern *Peerages* give the Jedburgh arms, gules on a chevron argent three mullets of the field, in the second quarter, and for the fourth give sable, a mullet or, two flaunches ermine. Nisbet says that in his time the Jedburgh arms alone were carried both in the second and third quarter. Other modern books of reference also adopt this arrangement. The unicorn supporter is now, as in Nisbet's day, collared gules, the collar charged with three mullets argent.

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CAMPBELL, EARL OF LOUDOUN

JAMES DE LOUDOUN, son of Lambinus, had a charter of the lands of Kelnnhel, Cobale, and Loudoun from Richard de Morville, Constable of the King of Scotland, in the reign of King William the Lion, and a charter of the barony of Loudoun from William de Morville,[1] which charter was confirmed by the said King, *circâ* 1189-1196. His arms, according to Nisbet,[2] were three inescutcheons sable. He had issue an only daughter, *Margaret*, who married Sir Reginald Crauford next mentioned.

Sir Reginald Crauford, Sheriff of Ayr, probably born about 1165, was perhaps the son of John, stepson of Baldwin de Biggar, who obtained the barony of Craufordjohn, in Lanarkshire.[3] He was a witness, with his son Hugh, to a charter by Walter the Steward to the monks of Paisley of the lands of Dalmullin, *circâ* 1229,[4] also to a donation by David de Lindsay to the monastery of Newbattle, which was confirmed by King Alexander II. in 1232,[5] and with his sons William, John, and Adam, to a charter of Hugh de Bygris, dated 1228-29.[6]

[1] *Penes* Earl of Loudoun. [2] *Heraldry*, i. 373. [3] *Origines Parochiales*, i. 161. [4] *Reg. de Passelet*, 22. [5] *Chart. of Newbottle*, 105. [6] *Liber St. Marie de Kelso*, i. 152.

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Loudoun

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He was father of

1. *William.*
2. *John* Crauford of Craufordjohn, mentioned in a charter by David de Lindsay to the monastery of Newbattle as John, son of Reginald of Crauford, which charter was confirmed 1239.[1] He possessed lands contiguous to these gifted to the monastery.
3. *Adam.*
4. HUGH, next mentioned.
5. *Reginald*, parson of Strathaven, in Lanarkshire, named in a charter of Walter, Bishop of Glasgow.[2]

HUGH CRAUFORD, Sheriff of Ayr, had a ratification, on 31 May 1226, of a charter from Alan of Galloway, son of Roland, Constable of Scotland, of the lands of Crosby, *circâ* 1210-15.[3] He is designed 'Hugo filius Reginaldi' in a charter by Walter, son of Alan, the High Steward of Scotland, to the monastery of Paisley, of the lands of Dalmullin, *circâ* 1229.[4] He had a charter of a third part of the lands of Stevenstoun, in Ayrshire, which Margaret, daughter of Adam Locard, had sold to him, from the said Alan, son of Roland.[5] From John of Samuelstoun he had a charter of all his rights in the lands of Stevenstoun, in excambion for his rights in the lands of Cousland, in the tenement of Livingstone, *circâ* 1246.[6] He, with John de Crauford, was one of those Scots adhering to King Alexander II. and his wife Margaret to whom Richard, Earl of Gloucester, and others were accredited by King Henry III. of England on 10 August 1255.[7] The envoys found them, however, not only gainsayers of the English, but useless even to their own King, 21 September 1255.[8] He had issue:—

1. HUGH.
2. *Reginald*, who, as 'carnal brother,' had a charter from Hugh de Crauford, son of Hugh de Crauford, in homage and service, of the lands of Keres or Kerse before 1264, to which charter John de Crauford is a witness.[9]

HUGH CRAUFORD, as 'Hugo filius Hugonis,' was a witness

[1] Dalrymple's *Collections*, xiv. [2] *Liber de Calchou*, i. 230. [3] *Penes* Earl of Loudoun. [4] *Reg. de Passelet*, 22. [5] *Penes* Earl of Loudoun. [6] *Ibid.* [7] *Cal. of Docs.*, i. 381. [8] *Ibid.*, 2015. [9] *Penes* Earl of Loudoun.

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to the charter before-mentioned to the monastery of Paisley.[1] He had a letter of safe-conduct to go into England in 1255, and in 1260 was a party to a contract between Sir Godfrey Ross and the town of Irvine. From Henry, Abbot of Kelso, he and his wife Alicia had a charter of the lands of Draffen, in 1271.[2] He had issue:—

1. Reginald.
2. *Margaret*, who is said to have been married to Sir Malcolm Wallace of Elderslie, and had issue *Sir William Wallace*, the Scottish patriot.

Sir Reginald Crauford of Loudoun, Sheriff of Ayr, witnessed a charter of donation by James the High Steward to the monastery of Paisley in 1283-85.[3] He was one of the nominees on the part of Robert Bruce in his competition with John Baliol for the crown of Scotland,[4] swore fealty to Edward i. in 1296, but was, it is said, murdered by the English in 1297. His seal bore a fess ermine.[5] He married Cecilia, and had issue:—

1. Reginald.
2. A son, reputed ancestor of the family of Auchenames.

Sir Reginald Crauford of Loudoun[6] was appointed Sheriff of Ayr by King Edward i. on 14 May 1296,[7] swore fealty for his lands to that monarch at Berwick on 28 August 1296, and had a protection on 11 June 1297.[8] He, however, became a strenuous opponent of the English, was taken prisoner by them, being wounded, at the time of the incursion into Ireland, and was executed at Carlisle, 13 February 1307. For his capture gifts and offices were conferred on Dougal Macdowall and other men of Galloway in March 1306-7.[9] His seal bore a fess between three birds in chief and as many fleurs de lis in base.[10] He had an only child, *Susanna*, who married Sir Duncan Campbell.

Sir Duncan Campbell, son of Sir Donald Campbell, second son of Sir Colin Mor Campbell of Lochow,[11] had a

[1] *Reg. de Passelet*, 22. [2] *Liber de Calchou*, ii. 364. [3] *Reg. de Passelet*, 254. [4] *Fœdera*, ii. 553. [5] Macdonald's *Scottish Armorial Seals*, No. 525. [6] An alternative view is that these two Sir Reginalds were one and the same person. [7] *Cal. of Docs.*, ii. 739. [8] *Ibid.*, 961. [9] *Ibid.*, 1915. [10] Macdonald's *Scottish Armorial Seals*, No. 526. [11] See title Argyll, i. 321.

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charter from King Robert I. to him and Susanna, his wife, of the lands of Loudoun and Stevenstoun,[1] in Cunningham, to be held in one entire and free barony by them and the heirs procreated betwixt them, whom failing, to the said Susanna and her nearest heirs, dated at Pennycook 4 January 1317-18. He also held the heritable sheriffship of Ayrshire in right of his wife. He had issue:—

Sir Andrew Campbell of Loudoun, Sheriff of Ayr, who accompanied King David II. in his expedition to England. He was taken prisoner with him at the battle of Durham, 17 October 1346, was confined in the Tower of London, but removed to Rockingham Castle 20 August 1347,[2] was permitted to return to Scotland for a little in 1356, and had a safe-conduct 25 October 1357,[3] in which year he was released with the King. He had a grant of half of the lands of Redcastle from King David, as appears from a charter by that monarch to Robert Stewart of Schanbothy of that half which had been granted to the said Sir Andrew, and which had been resigned by him in the King's hands at Stirling 4 March 1367-68.[4] He died in the reign of King Robert II.

George Campbell of Loudoun, called 'atavus' of Sir Hugh Campbell of Loudoun in 1499.[5]

Sir Hugh Campbell of Loudoun, as Hugh Campbell, Lord of Loudoun, witnessed a charter of Johanna Keith of Galston, dated 11 December 1406,[6] in which charter, as William of Conyngham, one of the witnesses, is called Sheriff of Ayr, it would appear that office was not then hereditary in the Loudoun family. He was one of the Scottish barons nominated to meet King James I. at Durham, and had a safe-conduct from King Henry VI. on 3 February 1423-24.[7] He was a witness to a charter by Sir Hugh Berkley of Kilbirny in favour of Archibald Berkley his son, confirmed 25 May 1430.[8] He had issue:—

1. George, his heir.
2. *Sir John* of Wester Loudoun, probably his son, was one

[1] *Reg. Mag. Sig.*, i. No. 38. [2] *Fœdera*, v. 583. [3] *Ibid.*, vi. 67. [4] *Reg. Mag. Sig.* [5] *Exch. Rolls*, xi. 199. [6] *Reg. Mag. Sig.*, i. No. 890. [7] *Cal. of Docs.*, iv. 942. [8] *Reg. Mag. Sig.*

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of those who accompanied Margaret of Scotland to France on the occasion of her marriage with Louis the Dauphin in 1436.[1] Certain tenements in Irvine were granted by Alicia Campbell, wife of the deceased John Campbell of Loudoun, Knight, for support of two chaplains in a chapel on the banks of the river Irvine, dated 2 January 1451-52.[2]

3. *Hucheon*, brother-german to Sir George Campbell of Loudoun, Knight, and Katryn the Blare, his spouse, had a renunciation of the lands of Brounsyde from John Stewart, Lord of Dernlie, on 24 March 1452.[3]
4. *David*, brother of the Sheriff of Ayr, was a witness to a charter by John Maxwell of Calderwood to Walter the Graham of Walaston, dated 31 December 1450.[4]

Sir George Campbell of Loudoun was a hostage in England for the ransom of King James I. 28 March 1424, when the annual value of his estates as eldest son of his father was estimated at 300 merks.[5] He was placed in Fotheringay Castle, and on 21 May 1424 was transferred to Dover Castle,[6] but was allowed to return to Scotland 16 July 1425.[7] He is a witness to letters by Rankyn of Fowlartoun of Corsby to his sons Adam and William, dated 15 December 1426,[8] and was a commissioner of Archibald, Duke of Touraine, to hear the petition of Gilbert of Lawdre as to recognition of lands in Loudoun, dated 2 July 1438.[9] He had a grant of the fermes of Trarynyane 1438,[10] a charter of the office of Sheriff of Ayr, to him and the heirs of his body, on his own resignation, dated 16 May 1450,[11] and was dead in 1484-85.[12] He had issue.

Sir George Campbell of Loudoun had a charter as son and heir of his father in the lands of Duchray in King's Kyle, Benquhol and Dalnarton in Ayrshire, and Kittomure in the barony of Stanehouse in Lanarkshire, from Alexander Livingston of Duchray, in excambion for the lands of Cowlath and Edingham in the Stewartry of Kirkcudbright, on

[1] Fordun, ii. 485. [2] *Reg. Mag. Sig.* [3] *Pollok Maxwell Cart.*, 309, 310. [4] *Reg. Mag. Sig.*, 15 January 1450-51. [5] *Cal. of Docs.*, iv. 952. [6] *Ibid.*, 960. [7] *Fœdera*, x. 348. [8] *Laing Charters*, 105. [9] *Ibid.*, 117. [10] *Exch. Rolls*, v. 21. [11] *Reg. Mag. Sig.* [12] *Acta Dom. Conc.*, *97.

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19 July 1465,[1] and of the lands of Schevild 1467.[2] He was alive 2 March 1489-90, but was dead 9 March 1490-91.[3] He married Elizabeth Stewart before 29 March 1466, when they had a papal dispensation, because at that time they were married and had issue, although they stood in the third and fourth degrees of kinship to each other, and Elizabeth's father had been George's godfather.[4] The issue were:—

1. GEORGE, his heir.
2. *John*, who had a charter from his father as 'filio carnalis' to him and the heirs of his body, whom failing, Thomas his brother-german, whom failing, Robert, his brother-german, of the lands of Duchra called Corshill, Ruchhil, and Newlands, in the lordship of King's Kyle, dated 17 August 1476.[5]
3. *Thomas*.
4. *Robert*.

GEORGE CAMPBELL of Loudoun had a tack of the lands of Collyndach in Glenkens, Kirkcudbright, 1488,[6] a charter as son and heir of his father of the office of Sheriff of Ayrshire on his father's resignation, 4 July 1489,[7] a charter erecting Newmills into a burgh of barony 9 January 1490-91,[8] was seised in the lands of Martname, Loudoun, and Scheil in 1492,[9] and died shortly after 1492. He is said to have married, first, a daughter of Gilbert, first Lord Kennedy, and had issue, and secondly, Marion, probably daughter of Sir John Auchinleck of that Ilk, who survived him, and was married, secondly, to William Cunningham, as appears from a decreet dated 6 March 1504,[10] narrating that there appeared Hew Campbell of Loudoun on the one part, and Marion Auchinleck, Lady of Loudoun, and William Cunningham, her spouse, on the other, and that the said Hew obliged himself to pay to the said Marion and William the sum of 230 merks owing to them for the assedation made by them to the said Hew of said Marion's terce and the third part of the lands pertaining or that may pertain to her by reason of the decease of umquhile George Campbell of Loudoun, Sheriff of Ayr, her spouse, in terms of an indenture made between

[1] *Reg. Mag. Sig.* [2] *Ibid.*, 18 December 1467. [3] *Acta Dom. Conc.*, 138, 174. [4] *Regista Laterana*, DCXXXV. 48. [5] *Reg. Mag. Sig.*, 14 December 1485. [6] *Exch. Rolls*, x. 658. [7] *Reg. Mag. Sig.* [8] *Ibid.* [9] *Exch. Rolls*, x. 764. [10] *Acta Dom. Conc.*, xvi. f. 165.

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the said Hugh and Marion and William, dated at Edinburgh 7 March 1502. Issue:—

1. HUGH, his heir.
2. *Matthew*, brother to Sir Hugh Campbell of Loudoun, a witness to a charter by William Craufurde of Lefnoris to his son George Craufurde, dated 28 February 1507.[1]
3. *Colin*, brother to the Sheriff of Ayr.[2]
4. *Isobel*, married to Robert, Lord Erskine.[3] (*See title* Mar.)
5. *Margaret*, married to Sir Alan Lockhart of Lee.

SIR HUGH CAMPBELL of Loudoun, Sheriff of Ayr, was seised in the lands of Mertynhame and Loudoun in 1492,[4] had the lands of Cullindach in Glenkens let to him 1492,[5] redeemed in 1499, 1503, and 1504,[6] an annualrent of ten merks payable from the lands of Mertname, which had been pledged to Thomas Boyd of Kilmarnock by George Campbell of Loudoun, his ancestor,[7] and rendered his account to Exchequer as Sheriff of Ayr 28 July 1501.[8] He gave sasine to Margaret, Queen of King James IV., of the lordship and castle of Kilmarnock on 19 April 1504.[9] He had charters of the barony of Mertname in Ayrshire, including Kerse, Keirsmayne, and Skeldon, on 22 April 1505,[10] of the dominical lands, to him and Isobel Wallace his wife,[11] 1 October 1505, and of the lands of Bruntwood in Ayrshire, to them, 26 March 1505-6.[12] He sat in Parliament in 1504, and was dead 4 August 1508.[13] He married Isobel, daughter of Sir Thomas Wallace of Craigie, who, as his relict, was seised in the lands and barony of Martname, Easter Loudoun, and Stevenston 11 April 1523,[14] and was dead in 1530.[15] He had issue:—

1. SIR HUGH, his heir.
2. *Helen*, married to Lawrence Crawfurd of Kilbirny.
3. *Isobel*, married to Mungo Mure of Rowallan, who was killed at Fawside 1547. She had sasine of the lands of Glasnok 28 May 1548.[16]

[1] *Reg. Mag. Sig.*, 14 January 1511-12. [2] *Treasurer's Accounts*, i. 383. [3] *Reg. Mag. Sig.*, 8 June 1510. [4] *Exch. Rolls*, x. 766. [5] *Ibid.*, 741. [6] *Exch. Rolls*, xi. 199, 361; xii. 108, 227. [7] *Supra*, p. 491. [8] *Exch. Rolls*, xi. 345*. [9] *Cal. of Docs.*, i. 787. [10] *Reg. Mag. Sig.* [11] *Ibid.* [12] *Ibid.* [13] *Reg. Sec. Sig.*, iii. 181. [14] *Exch. Rolls*, xv. 605. [15] *Treasurer's Accounts*, v. 348. [16] *Exch. Rolls*, xviii. 433.

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4. *Janet*, married to John Campbell of Cessnock.
5. *Margaret*, married, 2 March 1528, to Thomas Kennedy of Bargany.[1]
6. *Annabella*, married, first, to Thomas Boswell of Auchinleck, who was killed at Flodden 9 September 1513, and secondly, to John Cunningham of Caprington. They had a charter 26 May 1525. She died before 20 June 1575, when her testament was confirmed.[2]

Sir Hugh Campbell of Loudoun, only son, born 1502, had sasine of the estates by precept dated 11 April 1523, the lands having been in ward fourteen years and one term,[3] and a charter of the lands of Garvanehead, Turnbery, and half of Traboyag in Carrick, with the Forest of Buchane in Wigtownshire 13 March 1526.[4] He assassinated Gilbert, second Earl of Cassillis, at Prestwick, in September 1527,[5] for which he was outlawed on 5 October 1527. He was seised in the lands and barony of Wester Loudoun, with the tower, fortalice, etc., and half of the barony of Stevenston in Cunningham, 3 November 1530,[6] and of the eight-merk lands of Newmylnes, in the barony of Easter Loudoun, and others, 9 November 1530.[7] As chamberlain of the lands of Trabeauch and Terrinzean he renders his account to Exchequer for the years 1530 to 1534,[8] but failing to account for certain fermes collected by him as Sheriff of Ayr, he was ordered to be distrained in 1534, 1535, and 1536,[9] and in 1537 he paid to James Colville of Easter Wemyss the arrears due by him as former chamberlain of Trabeauch.[10] He had charters of the lands of Wester Loudoun 20 August 1533, which William Cunningham had resigned,[11] of lands in the barony of Loudoun to him and Margaret Stewart his wife, 14 October 1533,[12] and of Loudounhill 20 December 1542. For the true and thankful service done and to be done by him, he had a remission from Parliament on 12 December 1544 for all the crimes of treason done by him previous to that date. He had charters of Trabeauch and Clonestang in Ayrshire 24 May

[1] Protocol Book of Gavin Ros, Nos. 923, 931. [2] Edin. Tests., 20 June 1575. [3] *Exch. Rolls*, xv. 605. [4] *Reg. Mag. Sig.* [5] Protocol Book of Gavin Ros, No. 923. [6] *Exch. Rolls*, xvi. 528. [7] *Ibid.*, 529. [8] *Ibid.*, xvii. 82, 214, 328. [9] *Ibid.*, xvi. 330, 444, 454. [10] *Ibid.*, xvii. 15. [11] *Reg. Mag. Sig.* [12] *Ibid.*

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1545,[1] of Terrinzean in King's Kyle 10 August 1546,[2] of the Mains of Loudoun to him and Agnes Drummond his wife 26 July 1550, of the lands of Spangok in Renfrewshire on charter dated 1 July 1552 by George Campbell of Dunnowell,[3] of Auchinroglin and Fern in Ayrshire on charter by Mariota Nisbet, wife of John Lockhart.[4] He rendered to Exchequer the accounts for the feu fermes of Terinzean for the years 1554-60,[5] and died in February 1560-61.[6] He married, first, Margaret Stewart, second daughter of Matthew, second Earl of Lennox, and had issue; and secondly, Agnes, daughter of Sir John Drummond of Innerpeffray, *s.p.* She survived him and was married, secondly (banns proclaimed at Eaglesham Kirk 31 May, 7 and 14 June 1562, dispensation 10 August 1562), as his second wife, to Hugh, third Earl of Eglinton;[7] and thirdly (contract dated 15 November 1585), to Patrick, third Lord Drummond, and died 21 January 1589-90.

Issue by first marriage:—

1. Sir Matthew, his heir.
2. *Thomas*, Commendator of Holywood, styled brother of Sheriff of Ayr 1561.[8]

He had also two natural children:—

1. *Alexander*, charged before the Privy Council with his brother Sir Matthew with invading the lands of James Chalmers of Gatgirth 1 October 1575, and not appearing, was denounced rebel.[9]
2. *Margaret*, had letters of legitimation under the Great Seal with her brother Alexander on 5 October 1572.[10] She married Alexander Nisbet of Bankhead.[11]

Sir Matthew Campbell of Loudoun, Sheriff of Ayr, had sasine of the lands of Easter Loudoun, Stevenston, Martname, Terrinyean, and Trabeoch 26 March 1561,[12] and of Wester Loudoun 1 July 1561.[13] He had a commission of Justiciary to administer justice in Kyle 31 July 1564,[14] a charter of the dominical lands of Mauchline and others in

[1] *Reg. Mag. Sig.* [2] *Ibid.* [3] *Ibid.*, 18 October 1552. [4] *Ibid.*, 18 November 1553. [5] *Exch. Rolls*, xviii. xix. 248, 276, 319, 351 *et seq.* [6] *Acts and Decreets*, xliv. 74. [7] *Memorials of the Montgomeries*, i. 46; ii. 185, 190. [8] Herries Inventory. [9] *P. C. Reg.*, ii. 464. [10] *Reg. Mag. Sig.* [11] *Reg. of Deeds*, ix. 222. [12] *Exch. Rolls*, xix. 468. [13] *Ibid.*, 474. [14] *Ibid.*, 528.

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Ayrshire, from Michael, Commendator of Melrose, 30 January 1564-65,[1] and of the lands of Darvel from Gavin, Commendator of Kilwinning, on 20 January 1564-65;[2] he had sasine in lands of Spango in Renfrewshire under reservation of the liferent of Agnes Drummond, relict of his father, 28 October 1569,[3] and had a charter of Loudounhill 23 April 1570.[4] He promoted the Reformation, rendered the accounts of the feu farmes of Trabeauch and Terrinyean to Exchequer for the years 1561 to 1591,[5] supported the cause of Queen Mary at Langside, where he was taken prisoner and was alive on 21 May 1593.[6] He married Isobel, daughter of Sir John Drummond of Innerpeffrey. She had a charter of the lands of Crag and others in the barony of Martnayme from Hugh Campbell of Loudoun 25 September 1546,[7] and of the lands of Newmylls on same date. He had issue:—

1. Sir Hugh, his heir.
2. *George*, second son.[8]
3. *Jean*, married, first (contract dated April 1589), to Robert Montgomery of Giffin, Master of Eglinton,[9] who died August 1596, and had a daughter. She was married, secondly, as his second wife, August 1598, to Ludovic, second Duke of Lennox, *s.p.*
4. *Margaret*, died 5 May 1597,[10] married to Sir John Wallace of Craigie.[11]
5. *Agnes*, married to William Cunningham of Caprington.
6. *Isobel*, married to William Craufurd of Lochnoris.
7. *Annabella*, married, first, to David Ker of Kersland, and secondly, to David Dunbar of Enterkin.

I. Sir Hugh Campbell of Loudoun, Sheriff of Ayr, as Hugh Campbell of Terrinzeane, younger of Loudoun, had a charter of the lands of Sorne from William Dunbar of Blantyre 5 February 1588,[12] was Provost and Member of Parliament for Irvine 1579 and 1587, sat in Parliament as

[1] *Reg. Mag. Sig.*, 1 February 1567-68. [2] *Ibid.* [3] *Exch. Rolls*, xx. 402. [4] *Reg. Mag. Sig.* [5] *Exch. Rolls*, xx. xxi. [6] *Reg. Mag. Sig.* [7] *Ibid.*, 29 September 1546. [8] *Reg. of Deeds*, xvi. 356. Douglas's *Peerage* here inserts as third son *Matthew*, who distinguished himself in the wars in Germany, settled in Livonia, assumed the name of Loudoun, and is said to have been the ancestor of Count Loudoun, Field-Marshal in the Imperial army. This family, however, bore entirely different arms, viz., three leopards' heads. [9] *Eglinton Book*, i. 47. [10] Edin. Tests. [11] *Reg. Sec. Sig.*, liv. 118. [12] *Reg. Mag. Sig.*, 7 March 1588-89.

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a minor baron 1597 and 1599, was admitted to the Privy Council 8 July 1601,[1] and created LORD CAMPBELL OF LOUDOUN, with destination apparently to heirs whomsoever on 30 June 1601. He had charters of Kylesmure and Barnwell in Ayrshire, erecting Mauchline into a burgh of barony 30 June 1608,[2] of the barony of Grougar 27 July 1613, and of the barony of Loudoun, erecting it into a lordship, 3 December 1613.[3] He died 15 December 1622.[4] He married, first, in 1572, Margaret, daughter of Sir John Gordon of Lochinvar, and had issue; secondly, after 11 August 1608, Elizabeth Ruthven, daughter of William, Earl of Gowrie, formerly wife of Sir Robert Gordon of Lochinvar (see *ante*, p. 114), and had issue; she died in January 1617;[5] and thirdly (contract dated 11, 17, and 21 October 1617[6]), Margaret, daughter of Sir David Home of Wedderburn, by whom he had no issue. She survived him, and married, secondly, Archibald Stewart of Ardgowan.

He had issue by first marriage:—

1. George.
2. *Egidia* (Juliana), married, 1594, to Sir Colin Campbell of Glenurchy, but had no issue. She had a charter from her husband and his father Sir Duncan, of the lands of Lochtay, dated 2 and 6 June 1595.[7]
3. *Isobel*, married to Sir John Maxwell of Pollok.[8]
4. *Margaret*, married to John Kennedy of Blairquhan.
5. *Agnes*, married (contract dated 18 and 26 October 1603) to Robert M'Clellan of Bomby, afterwards first Lord Kirkcudbright.[9]

Issue by second marriage:—

6. *Jean*, named with her sister Margaret in her mother's testament, married David Crawfurd of Kerse.
7. *Margaret*, mentioned in her father's testament as being then in pupillarity, married, 1636, to Sir William Cunningham of Cunninghamhead, Bart.

George Campbell, Master of Loudoun, only son, died in his father's lifetime, in March 1612.[10] He married, 1603,

[1] *P. C. Reg.*, vi. 268. [2] *Reg. Mag. Sig.* [3] *Ibid.*, 23 December 1613. [4] Glasgow Tests., 3 May 1623. [5] *Ibid.*, 7 September 1617. [6] *Reg. of Deeds*, cccxcv. 451. [7] *Reg. Mag. Sig.*, 24 February 1620. [8] *Pollok Maxwell Cart.*, 49. [9] Protocol Book of W. Mackerrell, f. 61. [10] Glasgow Tests., 12 September 1615.

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Jean Fleming, daughter of John, first Earl of Wigtown; she died also in March 1612, and had issue:—

1. *Margaret.*
2. *Elizabeth*, married to Sir Hugh Campbell of Cessnock.

MARGARET CAMPBELL, Baroness of Loudoun, born about 1605, was served heir-portioner, along with her sister Elizabeth, to Sir Duncan Campbell, Knight, great-grandfather of Sir Hugh Campbell, Knight, great-grandfather of Sir George Campbell of Loudoun, great-grandfather of Sir Matthew Campbell of Loudoun, their great-grandfather, in the lands of Benderloch, in Argyllshire, on 22 November 1626.[1] She married, before 8 March 1620, Sir John Campbell of Lawers. She appears to have inherited the Peerage under a resignation made by her grandfather before his death in favour of her husband, who was recognised as Lord Loudoun, as she is designed spouse to John, Lord Loudoun, in the service by her to Sir Duncan Campbell in 1626, and he is so called in the patent of the earldom in 1633. He was descended from

JOHN CAMPBELL, called 'of Auchreoch,' only son of Sir Colin Campbell of Glenurchy and his fourth wife, Margaret, daughter of Luke Stirling of Keir,[2] was killed at Flodden 9 September 1513. He is said to have married, first, Margaret, daughter of Sir John Moncrieff of that Ilk,[3] and, secondly, Christian Ogilvy, who survived him, was married, secondly, to Patrick Hepburn of Beinstoun, and died before 27 July 1554. (*See title* Bothwell.) He had issue by first marriage:—

1. JAMES, his heir.
2. *John* of Murthly, mentioned in the remainder of Lawers 16 June 1525,[4] and signed bond of maintenance and manrent with Alexander Menzies of Rannoch as to the protection of parts of the lands and forests of Rannoch and the Isle and Loch thereof, of which he had a charter in liferent from said Alexander Menzies, in April 1536.[5] He had a tack of the two-merk lands of Kiltere on 7 July 1542,[6] was designed in Murthly 28

[1] *Special Retours, Argyll*, 26 and 27. [2] See vol. ii. 178. [3] Macfarlane's *Gen. Coll.*, i. 42. [4] *Reg. Mag. Sig.* [5] *Sixth Rep. Hist. MSS. Com.*, 704. [6] *Exch. Rolls*, xvii. 720.

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April 1546, and of Murthly 7 March 1546-47. From Sir Robert Menzies of that Ilk he and Marjorie Menzies, his wife, had a charter, dated 28 October 1550, of the ten-merk lands of Auchmoir, in the barony of Menzies, and another tack of the lands of Newbigging in Carse Grange from the Abbot of Cupar, 1 September 1550, which lands were formerly held by John Rannald, and for half of which the abbot compounded with him on 14 August 1559 for £360.[1] He was executor of his brother James 19 December 1563, was served tutor to his nieces 1565, and died July 1567. He married, first, Marjorie Menzies, who died before 31 July 1562; and secondly, Margaret, daughter of William Drummond of Balloch, who survived him, and was married, secondly, 1578, to Duncan Campbell of Glenlyon, and thirdly, before 1581, to John Lyon of Cossins.[2] He had a son *John*, who signed a bond of manrent to James Menzies of that Ilk on 3 June 1585, and *Hugh* and *James* his executors, 19 March 1578-79.[3]

3. *Archibald*, named in the charters of Lawers, 1525 and and 1540, but not in that of 1546. He had a charter of the lands of Invertschie and Dunfallinch from the Abbot of Cupar, and died before 14 May 1545 without issue. He married Elizabeth Wedderburn, who survived him, and married, secondly, before 15 March 1545-46, Patrick Lyon.[4]

James Campbell of Lawers, eldest son, had sasine as heir of his father, 27 October 1513, in the lands of Lawar Mor, Lawar Mannach, and Lawar Olene,[5] and had a Crown charter from King James v., on 16 June 1525, erecting the lands of Lawers into a free barony, on the narrative that these lands had been formerly given by King James iii. to Sir Colin Campbell of Glenurchy, grandfather of said James, and the heirs-male to be procreated betwixt him and Margaret Stirling, his wife, for the good and faithful service of

[1] *Acts and Decreets*, lxxix. 144. [2] Edin. Tests., 15 April 1581. [3] John Campbell of Murthly is also said to have married, as second wife, a daughter of Campbell of Strachur, and to have had issue *Archibald* of Murthly, *Thomas* of Ardchoil, ancestor of the families of Kinloch, Possil, Colgrain, and Park. [4] *Acta Dom. Conc.*, xx. 80. [5] *Exch. Rolls*, xiv. 518.

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Sir Colin in arresting Thomas Chalmer, a traitor, who was concerned in the murder of James I. The destination is to him and Mariot Forrester, his wife, in liferent, with remainder to Archibald, their eldest son and heir-apparent, and John, Duncan, Edward, and Walter, their sons, whom failing, John and Archibald, brothers of said James, and the heirs-male of their bodies respectively.[1] He had charters to him and his wife in liferent, and John, their son, in fee, of the lands of Fordew, Glentarkane, and Balmuck, in Strathearn, on 29 January 1525-26,[2] and to him and Janet Gray, his wife, of the lands of Auchenreoch, in the lordship of Glendochart, in Perthshire, on 3 March 1530-31,[3] and of Auchenreoch, Lawers, etc., on 4 June 1540,[4] with remainder to Archibald, his eldest son and heir-apparent, John, Duncan, and Edward, his sons, whom failing, John and Archibald, his brothers. He had a charter of the lands of Wouchtertiry, in Perthshire, from Sir John Gray, Prior of the monastery of Strathfillan, on 28 February 1542,[5] and in same year the arrears of fermes in his hands due to Exchequer were ordered to be distrained for.[6] On 21 January 1548-49 a Commission of Justiciary was issued to him, John, his brother, and Duncan, his son, for the trial of Finlay Macmyllar, common thief, sorner, and oppressor.[7] He died 12 February 1561-62.[8] 'He lived that time in the Lutheran law. He broke all his bones on the stair of the Inn.'[9] He married, first, before 1517,[10] Marion, daughter of Sir Walter Forrester of Torwood, and relict of Sir Henry Shaw of Cambusmore;[11] she died at Fordes, in Strathearn, 31 October 1527,[12] and was buried in the parish church of Stirling, in the aisle of St. Andrew, at 7 P.M. on the last day of October 1527.[13] He married, secondly, before 28 September 1530,[14] Janet, daughter of Andrew, second Lord Gray, and relict of John Charters of Cuthilgurdie, Alexander Keith, and Sir David Wemyss of that Ilk; she died in October 1539. He married, thirdly, Isobel Hay, relict of Alexander Robertson of Fascaly,[15] who survived

[1] *Reg. Mag. Sig.* [2] *Ibid.*; *Exch. Rolls*, xv. 238. [3] *Reg. Mag. Sig.* [4] *Ibid.* [5] *Ibid.*, 14 February 1543-44. [6] *Exch. Rolls*, xv. ii. 485. [7] *Ibid.*, xviii. 464. [8] *Black Book of Taymouth.* [9] Chronicle of Fortingall. [10] *Treasurer's Accounts*, v. 102. [11] *Reg. Mag. Sig.*, 7 June 1509; Protocol Book J. Fowlar, 27 November 1521-22. [12] *Black Book of Taymouth.* [13] *Genealogist*, v. 299. [14] *Treasurer's Accounts*, v. 395; Gray Inventory. [15] *Reg. of Deeds*, viii. 400.

him, and was married, secondly, to John Forret of that Ilk, in Fifeshire.[1]

Issue by first marriage:—

1. ARCHIBALD, his heir.
2. *John*, of Fordew, who had a charter of these lands in remainder after his father and mother, on 29 January 1525-26.[2]
3. *Duncan*, had a charter of Auchenreoch, Lawers, etc., to him and the heirs-male of his body, whom failing, John, his brother-german, whom failing, Colin of Glenurchy, his great-grandfather, dated 16 September 1546;[3] died 8 June 1554, and was buried at Finlarig.[4]
4. *Edward*.
5. *Walter*, named in charter of 1525, but not in 1540.
6. *Margaret*, married to Sir William Edmonstone of Duntreath.
7. *Janet*, had charter of lands of Wester Morinichie from Robert Menzies of that Ilk 1533.[5]

Issue by third marriage:—

8. *Elizabeth*.
9. *Marion*.
10. *Janet*, to whom their uncle John of Murthly was tutor in 1565.

ARCHIBALD CAMPBELL of Lawers as eldest son and heir-apparent of his father, had a charter of half of the lands of Lawers and others on his father's resignation, to him and Agnes Ross, his spouse, on 29 May 1542.[6] He predeceased his father, dying before 1546;[7] married Agnes, daughter of John Ross of Craigie, and had issue:—

1. *Duncan*, who survived him, but died before his grandfather.[8]
2. JOHN, who succeeded his grandfather.

JOHN CAMPBELL of Lawers brought an action of choosing curators 30 April 1558, his nearest of kin called being James Campbell of Lawers, his grandfather, Colin Campbell of Glenurchy, John Ross of Craigie, and William Moncreiff

[1] *Acts and Decreets*, xxxi. 198. [2] *Reg. Mag. Sig.* [3] *Ibid.* [4] Chronicle of Fortingall. [5] *Treasurer's Accounts*, vi. 66; *Reg. of Deeds*, xxxviii. 306. [6] *Reg. Mag. Sig.* [7] *Acta Dom. Conc. et Sess.*, xx. 31. [8] *Ibid.*

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of that Ilk.[1] He had sasine of the lands of Auchenreoch 11 September 1558, and of Law 11 September 1559,[2] had a precept of clare constat, as heir of his father, on 22 August 1559,[3] had a tack from John, Earl of Atholl, to him and Beatrix Campbell, his wife, of the lands of Scheane, in Glenquaych, for nineteen years from Lammas 1582,[4] was knighted at the coronation of Queen Anne in 1590, had a charter of the lands of Kinrotharochie and others in Perthshire on contract, dated 19 and 20 September 1594, between Robert Moray of Abercairney and Sir John Campbell of Lawers, Knight, as principal, and James Campbell, his eldest son, and Colin Campbell, his second son, as cautioners, which charter is dated 31 October and 2 and 6 November 1594,[5] and died before 1611. He married Beatrix, eldest daughter of Sir Colin Campbell of Glenurchy, and had issue:—

1. Sir James, his heir.
2. *Colin*, who had a charter of the barony of Aberuchill, in Perthshire, on his father's resignation, 12 July 1596; died and was buried in the Canongate March 1618. He married and had issue.
3. *Duncan*, a witness to an obligation by his father 1597, and to a tack by Archibald, his brother, in 1607, to Sir James of Lawers.
4. *Archibald*, of Glencarradale, Commendator of Strathfillan, granted a tack to his brother James of Lawers of the whole kirk's teinds, etc., within the precinct of the monastery of Strathfillan, which had been granted to him by the Crown on 19 March 1607, reserving the liferent of Beatrix Campbell, their mother, on 21 October 1607. There are numerous references to him in the Privy Council Register in connection with the proceedings against the Clan Gregor. He had a grant of a monopoly of making red herrings on the East Coast of Scotland on 18 October 1615,[6] a charter of the lands of Ardcarden and others in Tarbert 14 February 1611,[7] and another of the lands of Kingart 23 January 1623,

[1] *Acts and Decreets*, xvii. 161. [2] *Exch. Rolls*, xix. 460. [3] Gray Inventory. [4] *Laing Charters*, 1021. [5] *Reg. Mag. Sig.*, 18 February, 1594-95. [6] *P. C. Reg.*, x. 458. [7] *Reg. Mag. Sig.*

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a gift of a pension of £500 a year for life in 1635, which was ratified by Parliament 1644, was knighted 1644, and died 1649. He married[1] Bessie Napier, and had issue:—

(1) *Mr. Archibald*, only son.[2]
(2) *Beatrix*, eldest daughter, baptized 29 October 1618, married (contract dated 17 September 1647) to Sir William Hamilton of Elliston.[3]
(3) *Margaret*, baptized 23 May 1626.
(4) and (5) *Anne* and *Janet*, baptized 18 July 1627.
(6) *Elizabeth*, baptized 12 August 1629.[4]

5. *Andrew*, designed brother to Sir James in 1618.
6. *John*, of Ardeonaig, Innergeldie, and Clathick, had a charter from John, Earl of Perth, to him and Margaret Menzies, his spouse, in liferent, and his heirs in fee of the town and lands of Clathick on 27 November 1628.
7. *William*, baptized 9 October 1575.
8. *Marjory*, married to Edward Toshach of Monzievaird, Perthshire, and had a son *David*, who was killed at Perth in June 1618 by Laurence Bruce, younger, of Cultmalindie and others.
9. *Beatrix*, married (contract dated 8 February 1588-89) to Colin Campbell of Glenlyon.[5]
10. *Dorothy*, Lady Letters.
11. *Marie*, baptized 28 February 1579.

John Campbell of Lawers had also a natural son, *John*.[6]

Sir James Campbell of Lawers, much in favour with King James vi., and Sheriff of Perthshire, had a charter, dated 31 July and 1 August 1595, on the marriage-contract entered into by his father, Beatrix Campbell, his mother, and him, on the one part, and Jean Colville, daughter of James Colville of Easter Wemyss, on the other part, of the lands of Fordew and others in Perthshire.[7] He had a charter of the lands of Sestill and others in Perthshire on 4 March 1603,[8] of the lands of Ardonnen called Sokkoch from James Haldane of Gleneagles 21 August 1612,[9] and of the lands of Finnard and others, in Rannoch, 12 January 1619.[10]

[1] Edin. Tests. [2] *Gen. Reg. Hornings*, 11 August 1670. [3] *Gen. Reg. Sas.*, lv. 3. [4] Edin. Reg. [5] *Reg. of Deeds*, xxxii. 363. [6] *Perth Sas.*, iv. 48, 84. [7] *Reg. Mag. Sig.*, 19 September 1616. [8] *Ibid.* [9] *Ibid.* [10] *Ibid.*

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He died at Lawers in January 1645.[1] He married (contract 21 and 23 June 1595) Jean, daughter of James, first Lord Colville of Culross, and had issue:—

1. Sir John, his heir.
2. *Sir Mungo*, who had the estate of Lawers settled on him on account of his elder brother's marriage with the heiress of Loudoun, was knighted in 1644, raised forces, and was colonel of a regiment which served in Ireland in 1642-43,[2] and in England 1644; had his lands ravaged and his house burned, and was killed at the battle of Auldearn, 9 May 1645.[3] He married (contract dated 6 July 1624) Helen, daughter of Sir Alexander Menzies of Weem,[4] and had issue:—

(1) *Sir James* of Lawers, who had an Act of Parliament passed in favour of his mother and her family as to arrears due to his father. He claimed, in 1647, the sum of £96,855, 6s. 8d. Scots, for loss of four years' rents due to him and his father from their property, and £98,000 for the services of his father's regiment in Scotland, and £17,500 in Ireland. He was colonel of his father's regiment, and had £2300 and £1500 paid to account of his claims, and further orders were made later on by Parliament on Committee of Estates in 1650. He was served heir to his father in Lawers 4 March 1653,[5] and was appointed Lyon King of Arms on 13 May 1658,[6] but was superseded at the Restoration. He married, first (contract dated 1653), Margaret, sister to Rorie Macleod of Dunvegan,[7] and had issue *James* and *Margaret*, baptized 13 May 1655,[8] married Colonel Patrick Vans of Barnbarroch; and, secondly, in August 1678, Ann, daughter of Sir William Stewart of Grandtully family, and had issue a son, *James*, served heir to his half-brother James 12 July 1703,[9] and was murdered by Duncan Campbell of Edramuckie when asleep in his bed at Greenock 22 April 1723, unmarried,[10] and *Thomas*, baptized 14 March 1686.[11] Sir James died after 1689.

(2) *Colin*, lieutenant-colonel in Lawers Regiment 1648-49.

(3) —— a daughter, married to Colin Campbell of Edinample.

3. *Mr. James*, mentioned in proceedings *re* the slaughter of his cousin David Toshach.
4. *William*, a witness to tack by his uncle Archibald to Sir James of Lawers on 21 October 1607.[12]
5. —— a daughter, married to David Dunbar of Enterkin.

[1] Hope's *Diary*, 212. [2] *P. C. Reg.*, 2nd ser., vii. 192 *et seq.* [3] Hope's *Diary*, 20 May 1645. [4] *Deeds*, ccccxxxvi. 308. [5] *Inq. Spec. Perth*, 611. [6] *Reg. Mag. Sig.*; *Laing Charters*, 2525. [7] *Genealogist*, v. 299. [8] Edin. Reg. [9] *Services*. [10] Funeral escutcheon in Lyon Office. [11] Edin. Reg. [12] *Laing Charters*, 1526.

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6. *William*, a natural son, witnessed a bond of caution by his father dated 25 June 1618,[1] and married Janet M'Gruder.[2]

II. SIR JOHN CAMPBELL of Lawers, eldest son, born in 1598, educated both at home and abroad, was knighted by King James VI., and in 1620 married Margaret, Baroness of Loudoun in her own right. They had a charter of the lands of Sorn, in Ayrshire, on 8 March 1620,[3] and of the lands of Hudstoun and others in the barony of Loudoun 26 July 1620.[4] He succeeded his father-in-law as Lord Loudoun, in terms of the resignation, in December 1622, and as Lord Loudoun he had a charter of the lands of Kylesmuir 4 September 1630,[5] and again to him and his wife on 15 March 1634.[6] He was created EARL OF LOUDOUN, LORD TERRINYEAN AND MACHLINE, by patent, dated at Theobald's 12 May 1633, with destination to him and his heirs-male, but he joining in opposition to the Court, the patent was by a special order stopped at the Chancery, and the titles superseded till 1641. He was a Commissioner of the Scottish Army who settled with King Charles I. the pacification of Berwick in 1639, and was sent as a commissioner by Parliament to London in 1640, when he was committed to the Tower by order of the King on account of a letter signed by him and other noblemen to the King of France imploring his assistance, and a warrant for his execution without trial was issued, but was prevented from being carried out by the Marquess of Hamilton. After his release he accompanied the Scottish Army to England in August 1640, and was appointed one of the Commissioners for the Treaty of Ripon on 22 November 1641.[7] On the visit of King Charles to Scotland he had his title of Earl allowed to him with precedency of 12 May 1633, was appointed Lord High Chancellor of Scotland and first Commissioner of the Treasury, 20 September 1641.[8] He had a charter under the Great Seal, erecting his whole lands into an earldom on 8 January 1644, in favour of himself, Margaret Campbell his spouse, and James, Lord Machline, his son, with precedency as before mentioned.

[1] *P. C. Reg.*, xi. 402. [2] *Perth Sas.*, 2nd ser., ii. 190. [3] *Reg. Mag. Sig.* [4] *Ibid.* [5] *Ibid.* [6] *Ibid.* [7] *Ibid.* [8] *Ibid.*

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He took a leading part in subsequent transactions, and in 1647 was sent to the Isle of Wight with the Earls of Lauderdale and Lanark to treat with the King. The result of this treaty was the engagement for the rescue of His Majesty in 1648, in which he concurred, and was chosen President of Parliament, 2 March 1648, when the matter was decided on, but being disgusted with the violence and insincerity of his associates, he abandoned it. He was present at the coronation of King Charles II. at Scone on 1 January 1650, and also at the battle of Dunbar. After the defeat of the King at Worcester he returned to the Highlands, where he joined the Earl of Glencairn and other royalists. He was excepted from Cromwell's act of grace and pardon in 1654, by which £400 a year was settled out of his estates on his Countess and her heirs. At this time numerous apprisings had been led against his estates.[1] He submitted to General Monck, lived quietly to the Restoration, and dying at Edinburgh 15 March 1663, he was buried in Loudoun Kirk. By Margaret, Lady Loudoun, his wife, who survived him, he had issue:—

1. James, second Earl.
2. *George*, second son, a witness to a disposition by his father of annuities of teinds, 25 February 1659,[2] died unmarried.
3. *Jean*, married, 1645, to George, second Earl of Panmure; she had a charter as his future wife 7 March 1645,[3] and had issue.
4. *Ann*, married at the Abbey of Holyrood, 30 October 1649, to John, third Lord Balmerino; died January 1666, and was buried at Restalrig, leaving issue.

III. James, second Earl of Loudoun, excepted from Cromwell's Act of Indemnity 1654, and not concurring in the measures of government adopted by King Charles II., went abroad, and died at Leyden in 1684.[4] He married, after 25 November 1666, when she accepted him, Margaret Montgomery, second daughter of Hugh, seventh Earl of Eglinton, and had issue:—

1. Hugh, third Earl.

[1] *Reg. Mag. Sig.*, *per* index. [2] *Laing Charters*, 2534. [3] *Gen. Reg. Sas.*, lv. 8. [4] Fountainhall, i. 308.

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2. *Colonel John* of Shankstoun, M.P. Ayrshire 1700-2, died *s.p.*
3. Sir James of Lawers, aftermentioned.
4. *Margaret*, married, as fourth wife, to Colin, third Earl of Balcarres. She died in May 1747, and had issue.
5. *Jean*, married to Sir James Campbell, Baronet, of Aberuchill.
6. *Christian*, married to George Ross of Galstoun.
7. *Eleanor*, married, first, to James, first Viscount Primrose, and had issue; and, secondly, in 1714, to John, second Earl of Stair, but had no issue. She died 21 November 1759.

IV. Hugh, third Earl of Loudoun, succeeded in 1684, and took the oaths and his seat in Parliament 8 September 1696. Appointed a Privy Councillor in April 1697 and again in 1703, an Extraordinary Lord of Session 7 February 1699, a Commissioner of Treasury 1702-4, a Knight of the Thistle 10 August 1706, Secretary of State, jointly with William, Marquess of Annandale, 5 June 1705, and with John, Earl of Mar, 29 September 1705, and a Commissioner to discuss the Treaty of Union. He resigned his honours in the hands of the Crown on 7 February 1707, and obtained a new grant to him and the heirs-male between him and Margaret, Countess of Loudoun, his spouse, lawfully procreated or to be procreated, whom failing, to the heirs-male of the body of the said Hugh, Earl of Loudoun, in any subsequent marriage to be lawfully procreated, whom failing, to the heirs whomsoever descending of the body of the deceased John, first Earl of Loudoun, whom the said Hugh, Earl of Loudoun, shall nominate, whom failing, to the heirs-male whatsoever of the said John, Earl of Loudoun, 8 February 1707. He was appointed Keeper of the Great Seal during the Queen's pleasure until she should revoke it by writ, with a pension of £2000 yearly besides fees, on 25 May 1708, of which office he was deprived for not complying with the measures of the administration in 1713. In 1708 he was appointed a Privy Councillor by King George I., and Lord-Lieutenant of Ayrshire. At the battle of Sheriffmuir in 1715 he served as a volunteer under the Duke of Argyll, and was Lord High Commissioner to the Church of Scotland

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in 1722, 1725, 1726, 1728, 1730, and 1731. A pension of £2000 per annum for life was granted him in 1727. At the general election following the Union of the Parliaments in 1707 he was elected a Scottish Representative Peer, and was re-elected at each election till his death, which took place at Loudoun on 20 November 1731. He married, at Kirkliston 6 April 1700, Margaret Dalrymple, only daughter of John, first Earl of Stair; she was born 4 February 1677, and died, after a few days' illness, 3 April 1777, aged one hundred. In 1727 she went to reside at Sorn Castle, and an account of the many improvements she made on its grounds and neighbourhood will be found in Douglas's *Peerage*. They had issue:—

1. JOHN, fourth Earl.
2. *Elizabeth*, died unmarried at Sorn Castle 19 April 1771.[1]
3. *Margaret*, married to John Campbell of Shawfield, and died *s.p.* at Edinburgh 7 October 1733;[2] interred in the New kirk aisle of St. Giles'.

V. JOHN, fourth Earl of Loudoun, only son, born 5 May 1705, succeeded his father 1731, and was elected a Representative Peer in 1734, and re-elected at each election till his death in 1782. Choosing the Army as a career, he obtained a cornetcy in Sir James Campbell's regiment of Royal Scots Greys in October 1732, being promoted to be captain in Kerr's Regiment in 1734, captain-lieutenant 3rd Foot Guards 27 February 1739, and captain in same regiment 21 August 1739. In April 1741 he was appointed Governor of Stirling Castle, and in July 1743 an Aide-de-Camp to King George II. From the Government he obtained permission to raise a regiment of Highlanders for service in 1745, of which he was appointed colonel 24 April 1745, and on the Jacobite rising of that year he became adjutant-general to Sir John Cope, then Commander-in-chief in Scotland. He was present at the battle of Prestonpans with his regiment when the same were either almost all killed or taken prisoners. He was despatched north after the battle in the *Saltash* sloop-of-war with arms, ammunition, and money, and arrived at Inverness on 14 October and proceeded to raise men for the service of

[1] *Scots Mag.* [2] Birthbriefs, viii. 34, Lyon Office.

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the Government. In about a month he succeeded in raising 2000, and relieved the garrison at Fort Augustus, which had been blockaded by the Master of Lovat and the Fraser clan. On the return of the Highland army to the north Lord Loudoun retreated into Ross-shire, and was compelled later on to retire into Sutherland, on the west coast of which he embarked with 800 men, and landed in Skye, where he adopted measures against the Jacobites. He was gazetted colonel of the 30th Foot 1 November 1749, which command he held till 1770, was colonel of the 60th Royal American Regiment 25 December 1755, and was appointed General and Commander-in-chief of the Province of Virginia 17 February 1756, and General and Commander-in-chief of His Majesty's Forces in America 20 March 1756. On the outbreak of the war with France in that year, owing to popular clamour at home on account of his dilatoriness in taking the field against the enemy, he was recalled, and sent to Portugal as second in command under Lord Tyrawley to assist the Portuguese against Spain. He was promoted to be lieutenant-general 22 May 1758, general and colonel of the Scots Guards 30 April 1770, and Governor of Edinburgh Castle.

He died at Loudoun Castle 27 April 1782, aged seventy-six, unmarried, and was succeeded by his cousin, James Mure Campbell, son of

Sir James Campbell of Lawers, who followed the military profession, being appointed captain in the Royal Scots Fusiliers 25 February 1702, and colonel 24 August 1706, with whom he served at Oudenarde. On 24 August 1708 he became lieutenant-colonel of the Scots Greys, North British Dragoons, which he commanded at Malplaquet, where he greatly distinguished himself by attacking the French, cutting his way through them and back again. He became battalion colonel 15 November 1711, colonel 9th Foot 27 July 1715, and colonel Scots Dragoons (Scots Greys) 15 February 1717. He was Groom of the Bedchamber to King George II., member of Parliament for Ayrshire 1727-41, brigadier-general 15 November 1735, Governor of Edinburgh Castle 1738, major-general 2 July 1739, lieutenant-general 18 February 1742. In 1742 he registered arms in

the Lyon Office, and was created a Knight of the Bath on 16 June 1743 for his distinguished services at the battle of Dettingen. At the battle of Fontenoy he commanded the British cavalry, but was mortally wounded by a cannon ball which took off one of his legs, from which he died 30 April 1745, and was buried at Brussels. He married (contract dated at the Canongate 29 March 1720) Jean, eldest daughter of David, first Earl of Glasgow, by his second wife, Jean, daughter and heiress of William Mure of Rowallan. She died at Lawers 19, and was buried at Kilmarnock 26, December 1729.[1] They had issue:—

1. James Mure, fifth Earl.
2. *Margaret*, born 17 May 1727.

VI. James Mure Campbell, fifth Earl of Loudoun, born at Edinburgh 11 February 1726, assumed the name of Mure on his succeeding to his mother's estate of Rowallan, and was served heir of tailzie to her 9 May 1733. He was appointed to a troop in the Scots Greys 29 May 1745, was M.P. for Ayrshire 1754-61, major in the 11th Dragoons (Earl of Ancram's) 26 June 1754, had a company in the 3rd Foot Guards 2 June 1756, was lieutenant-colonel 2nd Dragoon Guards 7 May 1757, from which he exchanged into the 21st Dragoons (Marquis of Granby's), which regiment was disbanded in 1763, colonel in the Army 19 February 1762, and major-general 19 October 1781. He was served heir to his father 18 May 1753, and had a precept of clare constat from the Commissioners of James, Duke of Montrose, for infefting him as heir of his father in the lands of Dalrenoch 22 November 1754.[2] In 1782 he succeeded his cousin as fifth Earl, and died at Loudoun Castle 28 April 1786, aged sixty-one. He married, at Redhall, near Edinburgh, 30 April 1777, Flora, eldest daughter of John Macleod of Raasay, Inverness-shire;[3] she died at Hope Park, near Edinburgh, 2 September 1780, leaving issue an only child.

VII. Flora Mure Campbell, Countess of Loudoun in her own right, was born in August 1780, succeeded her

[1] Funeral escutcheon, Lyon Office, 9-49. [2] *Laing Charters*, 3197. [3] *Scots Mag.*

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father at the age of six in 1786, was intrusted to the care of the Earl and Countess of Dumfries, with whom she constantly resided until the death of the Earl in 1803. She died at Kelburn Castle 8 January 1840. She was married from the house of Lady Perth, in Grosvenor Square, London, on 12 July 1804, to Francis Rawdon Hastings, second Earl of Moira, in the Peerage of Ireland, being given away by the Prince Regent, the ceremony being performed by the Bishop of London. Lord Moira was born 9 December 1754, entered the Army in 1771, and was engaged in many of the chief operations in the American War, was wounded at Bunker's Hill in 1775, fought at Long Island and New Jersey, at the siege of Charleston and battles of Camden and Hobkirk's Hill. He was member for Randalstown in the Irish Parliament from 1780 to 15 March 1783, when he was created Baron Rawdon of Rawdon, in the county of York, in the Peerage of Great Britain. He assumed the name of Rawdon by royal licence on 10 February 1790, succeeded his father 20 June 1793, and in 1794 he commanded a force of 10,000 men sent to Holland to reinforce the Duke of York, and took part in the attack on Quiberon. He was appointed Commander of the Forces in Scotland in 1803, made general in the Army 25 September 1803, and colonel of the 27th Regiment in 1804. He joined the Ministry of 'All the Talents,' was sworn a Privy Councillor on 5 February 1806, and appointed Master-General of the Ordnance 14 February 1806. In 1808, on the decease of his mother, he inherited the ancient baronies of Hastings, Hungerford, etc., in the Peerage of England, and on 12 June 1812 was made a Knight of the Garter. He was appointed Governor-General of India 18 November 1812, and during his administration were the wars against the Goorkhas of Nepaul, the Pindaris, and the Mahrattas, all of which were brought to a successful termination, and large additions made to the territories of the East India Company. On 7 December 1816 he was advanced to the dignities of MARQUESS OF HASTINGS, EARL OF RAWDON, and VISCOUNT LOUDOUN in the Peerage of the United Kingdom, was created G.C.B. 14 October 1818, G.C.H. 1818, and in 1819 was thanked by Parliament for his public services, and received £60,000 from the East India Company to purchase a hereditary

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estate. Owing to certain imputations being made on his public conduct in connection with the affairs of a banking company, he resigned his office of Governor-General of India on 13 January 1823, and on 22 March 1824 was appointed Governor and Commander-in-chief of the Island of Malta. He died on board ship in Baia Bay, off Naples, on 28 November 1826, and was buried at Malta. Lord Hastings also held the following offices:—Constable and Chief Governor of the Tower of London 12 February 1806-26, Lord-Lieutenant and *custos rotulorum* of the Tower Division, and Governor of Charterhouse. He had issue:—

1. *Francis George Augustus*, Lord Mauchline, born at St. James's Square, London, 13 February 1807, died the following day.
2. George Augustus Francis, seventh Earl and second Marquess.
3. *Flora Elizabeth*, born in Queen Street, Edinburgh, 11 February 1806, a Lady of the Bedchamber to the Duchess of Kent, died unmarried 5 July 1839. She was the authoress of a book of poems which were published after her death.
4. *Sophia Frederica Christina*, born 1 February 1809; married, 10 April 1845, as his second wife, to John, second Marquess of Bute; and died 28 December 1859.
5. *Selina Constantia*, born 15 April 1810; married, 25 June 1838, to Charles John Henry, son of John Joseph Henry, of Straffan, co. Kildare; and died 8 November 1867.
6. *Adelaide Augusta Lavinia*, born 25 February 1812; married, 8 July 1854, to Sir William Keith Murray, seventh Baronet of Ochtertyre; and died 6 December 1860, without issue.

VIII. George Augustus Francis, seventh Earl of Loudoun and second Marquess of Hastings, born at St. James's Place, London, 4 February 1808, and baptized on 7 April following, the Prince Regent being one of the sponsors. He succeeded his father, as Marquess, in 1826, and his mother, as Earl of Loudoun, in 1840; was a Lord of the Bedchamber, 1830-37; and died at Southampton 13 January 1844. He married, at Wolston-cum-Brandon, Warwickshire, 1 August

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1831, Barbara, Baroness Grey de Ruthyn in her own right, daughter of Henry Edward, Lord Grey de Ruthyn. She survived him, and married, secondly, at Harbledown, Kent, 9 April 1845, Hastings Reginald Henry, Commodore Royal Navy, afterwards, in 1849, Sir Hastings Reginald Yelverton, G.C.B., and died at Rome 19 November 1858. The Earl had issue:—

1. Paulyn Reginald Serlo, eighth Earl and third Marquess.
2. Henry Weysford Charles Plantagenet, ninth Earl and fourth Marquess.
3. Edith Maud, Countess of Loudoun.
4. *Bertha Lelgarde*, born 30 April 1835, who succeeded to the barony of Grey de Ruthyn, which had fallen into abeyance between her and her sisters, but was terminated by Her Majesty Queen Victoria by patent dated 29 December 1885 in her favour; married, at All Saints', Knightsbridge, 11 December 1855, to Augustus Wykeham Clifton of Warton Hall, youngest son of Thomas Clifton of Lytham Hall, Lancashire; and died 15 December 1887, leaving issue two sons and two daughters.
5. *Victoria Maria Louisa*, born 18 July 1837; married, 31 October 1859, to John Forbes Stratford Kirwan, late of Mayne, co. Galway; and died 30 March 1888. He died in 1892, leaving issue.
6. *Frances Augusta Constance* (posthumous), born 10 March 1844; married, 30 July 1863, to Charles, fourth Earl of Romney, who died 21 August 1905, leaving issue.

IX. Paulyn Reginald Serlo, eighth Earl of Loudoun and third Marquess of Hastings, born 2 June 1832; was an officer in the Army; ensign 52nd Foot 1850; died, unmarried, at Dublin, 17 January 1851; and was succeeded by his brother,

X. Henry Weysford Charles Plantagenet, ninth Earl of Loudoun and fourth Marquess of Hastings; cornet in Prince Albert's Own Leicester Yeomanry; born at Cavendish Square, London, 22 July 1842; succeeded his mother

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as Baron Grey de Ruthyn at her death on 19 November 1858; and died at 34 Grosvenor Square, London, 10 November 1868. He married, at St. George's, Hanover Square, 16 July 1864, Florence Cecilia, youngest daughter of Henry, second Marquess of Anglesey; she survived him, and married, secondly, 6 June 1870, Sir George Chetwynd, Baronet; and died 3 February 1907. Having no issue, the Marquessate of Hastings and the other titles in Ireland, Great Britain, and of the United Kingdom, became extinct, and the English titles fell into abeyance between the Marquess's sisters.

XI. Edith Maud Abney Hastings succeeded her brother in the Scottish honours, and became Countess of Loudoun in her own right, and senior co-heir of the baronies of Grey de Ruthyn, Hastings, Hungerford, Newmarch, Botreaux, De Moleyns, and Moels, in the Peerage of England, which abeyance was settled between the sisters by Letters Patent on 6 November 1871. She was born 10 December 1833, and died at Ventnor, Isle of Wight, 22 January 1874. She was married, at St. George's, Hanover Square, 30 April 1853, to Charles Frederick Clifton, afterwards Lord Donington, third son of Thomas Clifton of Lytham and Clifton. The Countess and her husband, in compliance with the settlement of the Willesley Hall estate, executed by Sir Charles Abney Hastings, Baronet, in 1844, in favour of her, and under Act of Parliament passed in 1859, assumed the surname and arms of Abney Hastings only. The Countess predeceased her husband, who was born 17 June 1822; was created Baron Donington of Donington, in the county of Leicester, on 4 May 1880, and died 24 July 1895.

They had issue:—

1. Charles Edward Hastings, tenth Earl.
2. *Paulyn Francis Cuthbert Rawdon-Hastings*, born 21 October 1856; late major 3rd Battalion Leicester Regiment; assumed by royal licence the names of Rawdon-Hastings in place of Abney Hastings in 1887, and died 19 October 1907. He married, 20 December 1881, Maud Grimston, daughter of James Walter, second Earl of Verulam, and had issue:—

(1) *Paulyn Charles James Reginald*, born 27 November 1889.
(2) *Edward Hugh Hastings*, born 31 August 1895.

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(3) *Edith Maud*, born 13 May 1883.
(4) *Elizabeth Frances*, born 19 June 1884.
(5) *Flora Anna*, born 12 September 1885.
(6) *Isabel Jacqueline*, born 8 August 1887.

3. *Gilbert Theophilus Clifton Clifton-Hastings-Campbell*, born 22 May 1859; late major 3rd Battalion the Sherwood Foresters, Derbyshire Regiment; assumed by royal licence, in 1896, the surname and arms of Clifton-Hastings-Campbell; married, 12 July 1894, Maud Kemble, only surviving child of Sir Charles Edward Hamilton, first Baronet, and has issue:—

(1) *Margaret Selina Flora Maud*, born 7 July 1895.
(2) *Edith Winifred Lelgarde*, born 21 January 1897.
(3) *Irene Mary Egidia*, born 9 February 1898.

4. *Henry Cecil Plantagenet*, born 19 June 1860; died, unmarried, 22 November 1886.
5. *Flora Paulyna Hetty Barbara*, born 13 February 1854; married, 21 November 1877, Henry Fitzalan, fifteenth Duke of Norfolk; and died 11 April 1887, leaving issue.
6. A daughter, still-born, in 1868.
7. *Egidia Sophia Frederica Christina*, born 9 May 1870; died, unmarried, 6 March 1892.

XII. Charles Edward Hastings Abney Hastings, tenth Earl of Loudoun, born 5 January 1855, late lieutenant in the Leicestershire Yeomanry Cavalry; succeeded his mother in the earldom in 1874, and his father, as Baron Donington, in 1895; married, at St. Mary's R.C. Church, Cadogan Street, Chelsea, 4 February 1880, Alice Mary Elizabeth Fitzalan Howard, third daughter of Edward, first Lord Howard of Glossop. She was born 20 June 1856.

Creations.—Baron Loudoun, 30 June 1601; Earl of Loudoun and Baron Tarrinzean and Machline in the Peerage of Scotland, 12 May 1633; Baron Botreaux, 1368; Hungerford 1426; De Moleyns 1445; and Hastings de Hastings, 1461, and Hastings de Hungerford, 1482, in the Peerage of England; Baron Donington of Donington, in the county of Leicester, in the Peerage of the United Kingdom, 4 May 1880.

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Arms (recorded in Lyon Register).—Gyronny of eight ermine and gules.

Crest.—An eagle displayed with two necks gules, in a flame of fire, or.

Motto.—*I bide my time.*

Supporters.—Dexter an armed man bearing a pick on his shoulder; sinister, a lady richly attired with a signet letter in her left hand.

[F. J. G.]

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FRASER, LORD FRASER OF LOVAT

LITTLE is known concerning the origin of the name and family of **Fraser**, though the subject has been fully dealt with by the late Lord Saltoun in his introduction to the first volume of the *Frasers of Philorth*. They undoubtedly came from France, but whether with William the Conqueror or later is not known. They are found in England from 1188 onwards when 'Two Knights of the household and family of the King of England (Henry II.) whose names are Robert Puer and Radulphus Fraser' were captured by the Count of St. Giles while returning from a pilgrimage to the shrine of St. James.[1]

Frasers, Fresers, Fresels, and Freysels held lands in various English counties during the twelfth and thirteenth centuries. The first of the name who appears in Scotland is Simon Fraser, who in 1160 granted the Church of Keth (Keith) with a large tract of land to the monks of Kelso.[2] The family seems to have spread rapidly through Tweeddale and the Lothians, and to have risen to a position of importance in the district.

The senior branches of the family were the Frasers of Touch-Fraser, from whom are descended the Lords Saltoun

[1] *Benedictus abbas Petroburgensis*, Hearn's ed. Oxon. 1735, ii. 501.
[2] *Cart. of Kelso*, No. 85.

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and Lords Fraser of Muchalls (*see those titles*), and the Frasers of Oliver Castle, which branch died out in the beginning of the fourteenth century. There were also branches of Forglen, Frendraught, Drumelzier, and Fruid, which are all now extinct.

The lands of Lovat, which lie in the county of Inverness, belonged during the first half of the thirteenth century to John Bisset, who also possessed a district called the Ard, as well as lands in Ross-shire. About 1268 these lands were divided amongst three co-heiresses who were married respectively to Sir David de Graham, Sir William Fenton, and Sir Andrew de Bosco;[1] Lord Saltoun conjectures that possibly Hugh Fraser first designed of Lovat married the descendant and heiress of one of these three.[2] On the other hand, the *Wardlaw Manuscript* states that in the year 1254, on the forfeiture of John Bisset, Sir Simon Fraser obtained a charter from King Alexander III. of 'totam et integram terram de Loveth vulgo Morvin,' and places Hugh of Lovat third in descent from him.[3] Whatever may be the correctness of these statements, there are no authentic documents known in which any Fraser is styled of Lovat before the time of

HUGH FRASER of Lovat and Kinnell, whose parentage is open to conjecture, though it is certain that he was a cadet of the powerful family of Frasers in the Lothians, as his seal bears three cinquefoils within a bordure charged with nine mullets.[4] He may have been descended from Sir Simon Fraser, second son of Sir Andrew Fraser of Touch-Fraser, who was killed at the battle of Halidon Hill, a view which is accepted by Douglas, Macfarlane, and others, including Lord Saltoun, who makes Alexander, son of Sir Simon, the father of this Hugh, but there does not seem to be any charter evidence to bear out the relationship, except that in the year 1464 Lord Lovat made a reciprocal entail with Alexander Fraser of Philorth, in which each describes the other as his beloved cousin.[5]

On 12 September 1367, Hugo Fraser, 'Dominus de Loveth

[1] *History of Beauly Priory*, Grampian Club, 54. [2] *Frasers of Philorth*, ii. 172. [3] *Wardlaw MS.*, Scot. Hist. Society, 65. [4] Macdonald, *Scot. Armorial Seals*, No. 1005. [5] *Frasers of Philorth*, i. 129, 130.

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et portionarius de le Ard,' did homage at Elgin to Alexander, Bishop of Moray, for his part of the half davoch land of Kyntallergy (Kiltarlity) and of the lands of Esse, and for certain fishings in the water of Forn.[1] William de Fentoun, Lord of Beauly, and Alexander Chisholm, seem to have been co-portioners of Ard, and both did homage to the Bishop of Moray about the same time for their lands of Esse and Kiltarlity.[2] Hugh Fraser appears to have been in possession of Patrick Graham's portion of the Ard, but by what right has not been ascertained.[3]

On 6 March 1377, Hugo Fraser, Dominus de Lowet, resigned his lands of Fayrlehope, in the barony of Linton and county of Peebles, into the hands of James Douglas, Lord of Dalkeith.[4] By an agreement entered into on 30 November 1384 between Hugh, Dominus de Lovet, and Alexander, Bishop of Moray, the former, on payment of £20 sterling at the feasts of Pentecost and Martinmas, in equal portions, and a further payment of fifty shillings at Martinmas aforesaid, was to be relieved of all bygone arrears of the annuals of Kiltarlity, Esse, and Moniach, and of the teind sheaves of Wardlaw owed by him.[5] On 30 March 1407 he gave to his cousin, Peter de Stryveline, a charter of his lands of Easter Breky, in the barony of Kinnell. This charter is confirmed, 30 March 1410, by the Duke of Albany, in which confirmation Hugh Fraser is referred to as 'quondam Hugh Fraser de Lovett et de Kynell.'[6]

He left three sons and a daughter:—

1. Alexander, who succeeded him.
2. Hugh, who succeeded his brother Alexander.
3. *William*, who married an heiress of the name of Scrymgeour, and lived in Dundee.[7]
4. *Euphemia*, called also *Agnes*, married to Lachlan Macintosh, the Captain of Clanchattan.[8] After his death in 1407 she married Sir Walter Innes of that Ilk, and had issue.[9]

[1] *Registrum Epis. Morav.*, No. 286, p. 368. [2] *Ibid.*, Nos. 285, 288, pp. 367, 369. [3] *History of Beauly Priory*, 89. [4] *Reg. Hon. de Morton*, ii. No. 457. [5] *Reg. Epis. Morav.*, No. 166. [6] *Reg. Mag. Sig.*, fol. vol. 243, 2. Hugh Fraser, first of Lovat, is said to have died in 1398, and this grant has been assigned to his son Hugh (*Priory of Beauly*, 95), but this is disproved by the above writ. [7] *Wardlaw MS.*, 94. [8] *The Mackintoshes, etc.*, by A. M. Mackintosh, p. 67. [9] *Familie of Innes*, 15; cf. note 7 next page.

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ALEXANDER FRASER of Lovat. Little is known about him. He had a charter of Kinnell from Robert, Duke of Albany.[1] He was an elderly man when he succeeded to the estates, and gave up the whole management of them to his brother Hugh.[2] He died before March 1415-16, when his brother is styled Lord of Lovat.[3] He apparently married, first, a lady named Elizabeth Keith, named in a charter by Robert, Duke of Albany (probably about 1410), to him and her of the lands of Kinnell.[4] She seems to have died before April 1414, when a commission was issued to grant a dispensation for the marriage of Alexander de Fraser, of Moray diocese, with Marion, daughter of Sir Robert Keith, Knight.[5] He had issue a daughter,

Marjorie, married, about 1414, to William Keith, afterwards first Earl Marischal.[6] (*See that title.*)

Alexander had also, it is said, an illegitimate son, who, according to the *Wardlaw MS.*, 'was called Gill Rewach Vickhimi, of whom is come all the many M'Kilrevich about us.'

HUGH FRASER of Lovat. That he was a son of Hugh Fraser, first of Lovat, is proved by a deed of the year 1549.[7] He was also, on 20 September 1430, served heir to his brother Alexander in the lands of Ard, the inquest being held at Inverness on 2 May.[8] He is there described as Alexander's 'legitimus et propinquior heres' and as being 'legitime ætatis.' On 9 August 1422 he entered into a contract with Thomas of Dunbar, 'Earl of Murraffe,' to marry his son and heir to a daughter of the Earl's, by Isobell Innes, or, failing that, that his heir should marry into Lord Moray's family, in consideration for which the Earl gave to Hugh the barony of Abertarff, of which he probably held the *dominium utile* already.[9] In 1429 Hugh Fraser was

[1] Robertson's *Index*, 159, 2. [2] *Wardlaw MS.*, 96. [3] *Reg. Mag. Sig.*, 20 September 1430. [4] Robertson's *Index*, 159, No. 2. [5] *Regesta Avenionensia*, Lib. 344, fol. 742. [6] *Ibid.*, fol. 741. [7] Pleadings in the Consistorial Court of Moray, 8 May 1549, showing that Hugh Fraser, Lord of Lovett, begot the deceased Hugh, Lord of Lovet, and Euphemia Fraser, brother and sister german, commonly held and reputed for such, which Hugh, Lord of Lovett, first of that side, begot the deceased Thomas, Lord of Lovett; who begot William Fraser; which William begot Agnes Fraser, asserted spouse of the late John of Culcabok' (*Chiefs of Grant*, iii. 375). [8] *Reg. Mag. Sig.*, 20 September 1430. [9] Spalding Club *Miscellany*, v. 256.

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Sheriff-depute of Inverness,[1] and again in 1431.[2] On 8 January 1436 he granted to Alexander de Ile, Earl of Ross, one-third part of Glenelg.[3] He died before 20 July 1440, on which date his son Thomas is described as Lord of Lovat, in witnessing a charter at Inverness.[4]

He married, first, about the year 1415, Janet Fentoun, a sister of William Fentoun of that Ilk. Their marriage contract is dated at Baky 3 March 1415-16, and is in the form of an indenture.[5] Janet Fentoun died before 1429, by which date Hugh had married Isabella, daughter of Sir John Wemyss of that Ilk. On the 10th December he grants an acquittance to his 'derreste and beste beluffit bruthir in lauch, Davy of the Wemys, Lord of that Ilke,' of 35 merks by way of marriage.[6] Hugh Fraser left issue:—

1. THOMAS, who succeeded.
2. *Elizabeth*, married, as his first wife, to Sir William Leslie of Balquhain,[7] and had issue.

THOMAS FRASER of Lovat.[8] He was probably the heir referred to in the above contract of 1422,[9] and bound, while only an infant, to marry a daughter of Thomas Dunbar, Earl of Moray, but it does not appear that the Earl had any family. On 20 July 1440, as Thomas Fraser, Lord of Lovat, he witnessed a charter of Alexander de Ile, Earl of Ross,[10] and in 1441 his seal was appended to a letter written by Alexander de Urchart, Constabularius de Foress.[11] He is therein designed Thomas Fraser, lord de Lovet. He died before 20 May 1455, when his son is styled 'Huchone Fraser of the Lovate,' having been a ward of Archibald Douglas, Earl of Moray, then recently dead.[12] This is supported by the fact that in 1456 the Chamberlain charges himself with £143 of rents of the lands of Aird, Strathglass, Abertarff, and Stratherrick, then being in the hands of the King by the death of the late Thomas Fraser of the Lovat, in the ward of the earldom of Moray.[13]

[1] *Family of Wemyss*, ii. 60. [2] *Rose of Kilravock*, 128. [3] *Family of Innes*, 97. [4] *Rose of Kilravock*, 131. [5] *Reg. Mag. Sig.*, 16 September 1430. [6] *Family of Wemyss*, ii. 60. [7] *Records of the Family of Leslie*, iii. 13. [8] He is entirely omitted by the writer of the *Wardlaw MS.*, who makes Hugh Fraser succeed. [9] Spalding Club *Miscellany*, v. 256; *History of Priory of Beauly*, 305. [10] *Rose of Kilravock*, 131. [11] Spalding Club *Miscellany*, iv. 20. [12] *Ibid.*, iv. 128. [13] *Thanes of Cawdor*, 24-28.

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It is not known whom he married, but he left two sons:—

1. HUGH, who succeeded him.
2. *William*, mentioned as being the father of Agnes Fraser, named in a consistorial pleading against John Grant of Culcabok on 9 May 1549.[1]

I. HUGH FRASER, first Lord Fraser of Lovat. He succeeded his father before May 1455 while a minor, and was under the care of the Earl of Moray. After the latter's death, as above stated, young Lovat became a ward of the Crown, and in 1456 his ward and marriage were granted to Lord Glamis.[2] He was made a Peer of Parliament between the years 1456 and 1464, apparently under the title of LORD FRASER OF LOVAT. In 1480 his lands of Kinnell in Angus were apprised for a debt of £203, 16s. which he owed for feu-duties for lands held of the Crown in the county of Ross. They were sold under the apprising to Sir James Ogilvy of Iroly.[3] In 1477 he ratified a charter of John Stirling of Breky, in the royal confirmation of which, 23 February 1480-81, he is described as 'Hugo dominus Fraser de Lovate et Baro Baroniæ de Kynnell.'[4]

He died before 14 October 1501, on which date his son Thomas was granted the lands of Kinnell which had fallen to the King by reason of forfeiture, because the late Hugh, Lord Fraser of Lovat, who held them of the King *in capite* for the service of ward and relief, alienated them without first obtaining permission.[5] He married, before 1464, Violetta Lyon, daughter of Lord Glamis, whose terce he reserved in a deed of entail made in favour of his cousin Alexander Fraser de Philorth.[6]

He left a son and two daughters:—

1. THOMAS, who succeeded as second Lord Lovat.
2. *Margaret*, married to Hector de Kilmalew, by whom

[1] *Chiefs of Grant*, iii. 372. [2] *Exch. Rolls*, vi. 374. [3] *Reg. Mag. Sig.*, 31 August 1480; Haddington Coll. of charters, i. 92. [4] *Reg. Mag. Sig.* In 1487 the seal of 'ane honorabil Lorde Hew Lord Frasser of the Lowet' is used in an indenture between William, Thane of Cawdor, and Alexander Fraser of Philorth (*Thanes of Cawdor*, 70). [5] *Reg. Mag. Sig.*, 14 October 1501. [6] *Frasers of Philorth*, ii. 179. The writer of that work suggests that Hugh was intended to marry Janet Douglas, daughter of his first guardian. This may explain the supposititious Janet Dunbar, usually stated to be the wife of Hugh.

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she had a son Alexander, who is mentioned in a deed of entail by his half-brother Eugene.[1]

3. *Egidia*, called also Marjory, married to Ferquherd Mackintosh of Mackintosh.[2]

II. THOMAS FRASER, second Lord Fraser of Lovat. On 28 October 1501 he alienated to his cousin David Lyon of Balmady the lands of Wester Braky and the half lands of Haltoun of Kinnell in Angus,[3] and three days later he sold to George Lyon, Lord Glamis, his lands of Balnawis with the half lands of Haltoun of Kinnell.[4]

Lord Lovat and his wife Janet Gordon had, on 17 November 1501, a royal charter of the lands of Dalcorse and others in the barony of Abertarf, on the resignation of Lovat.[5] On 6 May 1510 Lord Lovat and Janet Gray his wife had a charter of the lands of Dalcorse and the Kirktoun thereof, and the lands of Kilray in the barony of Abertarf, which Thomas resigned.[6] On 12 January 1510-11 the King confirmed a charter dated 15 October 1509, by which Henry Douglas of Kilbirny sold to Lord Fraser of Lovat his lands of Kilbirny, with the hill of the fort of the same, commonly called Beaufort, and other properties. This was confirmed notwithstanding the forfeiture of the late James Douglas of Railston, Knight, and Janet Fenton his spouse, to whom the said lands formerly belonged.[7] On 14 June 1511 he purchased from John Ogilvie of Laverocklaw the lands of the two Moys, called Ardranich and others.[8] On 20 January 1511-12 he had a charter of apprising of the half lands of Ballecaranach.[9] The *Wardlaw MS.* states that Lord Fraser 'lived long and happy, *fortunatus et pacificus*; he never had occasion to try his sword . . .; an excellent country man, a good instrument in church and state. He kept his neighbours right and they him, being the file of his fortunes; he kept intere and augmented what his ancestors left him; a wholesome strong-bodied statly person.'[10] He died about 21 October 1524.

Thomas, Lord Fraser, married, before he succeeded his

[1] *Reg. Mag. Sig.*, 6 January 1508-9. The *Wardlaw MS.* says that she 'died young, being a child.' This is obviously a mistake. *Wardlaw MS.* 107. [2] *The Mackintoshes*, etc., by A. M. Mackintosh, 101; *Exch. Rolls*, xii. 349. [3] *Reg. Mag. Sig.* [4] *Ibid.* [5] *Ibid.* [6] *Ibid.* [7] *Ibid.* [8] *Ibid.*, 31 July 1511. [9] *Reg. Mag. Sig.* [10] *Wardlaw MS.*, 21 October 1524.

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father, Janet Gordon, a daughter of Sir Alexander Gordon of Abergeldie.[1] Their contract is dated at Newark-on-Spey 11 January 1493, her father being there described as of Auchindoun.[2] He married, secondly, before 6 May 1510,[3] Janet Gray, widow of Alexander Blair of Balthayock, and daughter of Patrick, Master of Gray. She survived him, and married, thirdly, before 1535, Sir David Lindsay of Edzell, ninth Earl of Crawford.[4] She died between 5 February 1549-50, the date of her will, and 12 November 1550, by which time the Earl had married again.

By his first wife Lord Lovat had issue:—

1. Hugh, who succeeded.
2. *William* of Teachers.[5]
3. *James*, called in *Wardlaw MS.* 'of Foyness' and in Crown charters 'of Culboky.' On 7 June 1539 he received from the King in liferent the ten-merk lands of Drumdervate in the county of Ross for good service rendered.[6] On 24 October 1542 he had a feu from the Crown of the lands of Kynkell-Clarschac and others, in Inverness-shire. He fell at the battle of Loch Lochy, leaving a daughter, who was married, first, to the Laird of Gairloch, and secondly, to The Chisholm of Comer.[7]
4. *Margaret.*[8]
5. *Isobel.*[9]
6. *Janet*, married, about 1527, to John Crichton of Ruthven, son of James Crichton of Ruthven, and Janet Ogston his wife.[10]

By his second wife he had:—

7. *Robert*, who married Janet Gelly, and was the ancestor of the Frasers of Kinnell.[11]
8. *Andrew*, said to have married a daughter of the Laird of Grant; but this is doubtful, and nothing has been ascertained regarding him.
9. *Thomas*, said to have married Anna, a daughter of Macleod of Harris.

[1] *House of Gordon*, by J. M. Bulloch, i. 8. [2] *History of the Frasers*, by A. Mackenzie, 66. [3] *Reg. Mag. Sig.* [4] Cf. vols. iv. 275; iii. 28. [5] *Wardlaw MS.*, 122. [6] *Reg. Mag. Sig.* [7] Anderson's *Family of the Frasers*, 75. [8] *Wardlaw MS.*, 122. [9] *Ibid.* [10] *Reg. Mag. Sig.*, 9 October 1527. [11] *Reg. Sec. Sig.*, xciv. f. 34.

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III. HUGH, third Lord Fraser of Lovat. On 22 January 1527-28 he purchased from the Earl of Argyll the lands of Kirktown and Inchbarry, in the county of Inverness.[1] On 2 March 1528-29 he received a Crown charter of certain lands of Ingliston and others, in the barony of Arde, and the lands of the two Arcles, on the resignation of George Halyburton of Gask, all which lands, with the addition of some others, were incorporated by the King into the free barony of Arcles, with permission to build a fortified house with iron doors, dungeon, etc.[2] Lord Fraser greatly increased his landed property; in addition to his purchase of Inchbarry and Arcles, already referred to, on 18 December 1536 he bought from John Forbes of Pitsligo the lands and towns of Estir and Westir Agaes, with mills, etc.[3] Further, he bought, on 22 October 1540, portions of the lands of Duffus and Querelwood from William Sutherland.[4] In July 1542 he received from the King a feu-charter of the lands of Bewfort (Beaufort).[5]

He died 15 July 1544,[6] being killed at the battle of Loch Lochy. The *Wardlaw MS.* describes Lord Lovat: 'This great and good man . . . gathered to his fathers in the 55 yeare of his age, his worth and vertues truely such that he was very much lamented even by his very enemies, for besides the splendor of his ancestry and the statliness, bravery, and comeliness of his personage, he was master of a great deal of wit, and singular prudence, providence, and provesse in very troublesom times. His authority and conduct in his great trust reacht farr, his intelligence farr and neare wonderfull, none could surprise his country without an allarum; he could read men as bookes, could not abid baseness; had a great esteem for men of integrity and spirit though never so mean, being himselfe a man of undoubted vallour and currage.'

Lord Fraser had married during his father's lifetime Anna, daughter of John Grant of Freuchie,[7] from whom, in consideration of the marriage, he seems to have received a sum of 1400 merks. She died before 1536, as on the 19 July of that year he had married, secondly, Janet Ross,

[1] *Reg. Mag. Sig.*, confirmed 3 March 1527-28. [2] *Reg. Mag. Sig.* [3] Confirmed 20 December 1536, *Reg. Mag. Sig.* [4] *Reg. Mag. Sig.*, 8 December 1540. [5] *Reg. Mag. Sig.* [6] *Retours*, 16 May 1566. [7] *Chiefs of Grant*, iii. 58.

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and was infeft with his spouse in the lands of Ardrannich, Beaufort, and Phoppachie.[1] She survived him till 1565.

Lord Lovat had issue:—

1. *Simon*, Master of Lovat, who was killed in the battle of Loch Lochy with his father; he died unmarried.[2]
2. ALEXANDER, who succeeded.
3. *William* of Struy, born c. 1537, who on the death of his brother Alexander in 1558 became tutor to his nephew Hugh, Lord Lovat; in 1561 he married Janet, a daughter of the Laird of Grant.
4. *Hugh*, born c. 1539, mentioned in the will of Janet Ross, his mother, in 1565, as an executor.[3]
5. *Agnes*, married, before 3 March 1540-41, to William Macleod, younger of Dunvegan.[4] She was married, secondly (contract dated 2 May 1562), to Alexander Bain of Tulloch,[5] and died 29 January 1594-95.[6]
6. *Margaret*, mentioned in her mother's will.[7]

IV. ALEXANDER, fourth Lord Fraser of Lovat, succeeded as a minor, at the age of seventeen, having been born in 1527,[8] and served heir to his father in 1547 by the advice of his factors. He was looked after and advised by Robert Reid, Bishop of Orkney, who was related to him through his mother. In 1555 Lord Lovat waited on the Queen-Dowager when she came to Inverness to hold assizes. In 1557 he went on a journey to Iona, during which he got rheumatism which ended in his death in December 1557, at the age of thirty-one.[9]

Alexander is described as a 'bookish man' but 'of a debonair, sweet, compliant temper . . . for he is such an accomplisht person and receaves men with so singular a humanity and friendship that in all his deportment he gives proofe of a disposition worthy off his character and the bloud that runs in his veines.'

By the advice of Bishop Reid Alexander married Janet Campbell, a daughter of John Campbell, the Thane of Cawdor,[10] a son of Archibald, second Earl of Argyll. Janet had been, in 1534, contracted to marry Ewan son of Donald

[1] *Reg. Mag. Sig.* [2] *Wardlaw MS.*, 137. [3] *Ibid.* [4] *Reg. Mag. Sig.* [5] *Ibid.*, 28 June 1600. [6] Edin. Tests., 1 June 1596. [7] *Wardlaw MS.* [8] *Ibid.* [9] *Retours*, 10 March 1567. [10] Edin. Tests., 1 January 1595-96.

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Cameron,[1] but after Lord Lovat's death she was married to Donald Gorm Macdonel of Slait, when William Fraser of Struy, tutor of his nephew Lord Lovat, bought off her jointure for a sum of money down.[2] Lord Lovat had issue:—

1. HUGH, who succeeded him.
2. *Thomas* of Strichen, of whom later.
3. *James* of Ardachie.
4. *Anna*, married to John Fraser of Dalcros.

V. HUGH, fifth Lord Fraser of Lovat. Hugh was in his thirteenth year when his father died, and his uncle, William Fraser of Struy, became his tutor. The first public appearance of young Lovat was in 1562, when Queen Mary came to Inverness, and he came at the head of 400 men to wait upon her, and when she left he convoyed her as far as the banks of the Spey. The next year, 1563, he went south to 'take a view of the Court,' and at the end of the year he came home, travelling with John, Earl of Atholl, who took him to Blair Castle, where he met Lady Elizabeth Stewart, whom he subsequently married.[3] In 1566 he was served and retoured heir to his grandfather on 16 May,[4] and in the following February he liberated his uncle from his office of tutor, and took over the management of his estates. In 1569 Lord Lovat went south to Edinburgh and made the acquaintance of the Regent James, Earl of Moray, and there he made friends with Walter Reid, a nephew of Bishop Reid,[5] who had had such influence with his father Lord Alexander. In November 1571 he sold Kynnowdie in Ard to John Hay of Lochloy.[6] Between 1565 and 1569 Lord Lovat was present at several conventions at Perth, Stirling, and Edinburgh. On 30 July 1569 at Perth he voted for the Queen's divorce from Bothwell.[7] In November 1571 he acquired in feu from Walter, Abbot of Kinloss and Prior of Beauly, the whole barony, town, and lands of Beauly, and also was made, with his heirs and assignees, hereditary constable and guardian of the Priory.[8] The Abbot was Walter Reid, nephew of Robert, Bishop of Orkney; it

[1] *Thanes of Cawdor*, 160. [2] *Wardlaw MS.* [3] *Ibid.* [4] *Retours, Inverness*, 5. [5] The *Wardlaw MS.* calls Walter Reid brother of the Bishop, but he was his nephew (cf. *Priory of Beauly*, 232 *n*). [6] *Reg. Mag. Sig.*, 12 January 1571-72. [7] *P. C. Reg.*, ii. 8. [8] *Reg. Mag. Sig.*, 14 February 1771-72.

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was through his friendliness and that of his lady that the transaction was carried through.

On the 10 March 1575-76 he was ordered by the Privy Council not to hinder the Laird of Glengarry from using Lochness to bring his timber down to Inverness.[1]

The *Wardlaw MS.* tells us that at this time (1570) 'Lord Hugh . . . goes under the notion of a courtiour and gallanter of ladyes. This rumor running north, it breeds some generoues jelousy in my Lady Lovat's brest . . . at his arrival in Lovat April 7, 1570, his lady, it seems, out of excess of joy gave him a sone, being brought to bed the sixth day after.' This son was Simon, who succeeded.[2] Lord Lovat died January 1576-77.[3] He married (contract dated 24 December 1567[4]) Elizabeth Stuart, daughter of John, fourth Earl of Atholl. (*See titles* Atholl, Lennox, and Ochiltree.) She had a jointure of £7000 Scots a year.[5] Lord Lovat and his wife lived a quiet country life at Bunchrew and Kinmilies, and there their family was born. She was married, secondly, 6 December 1578, to Robert, Earl of Lennox and March; and thirdly, 6 July 1581, to James Stewart, Earl of Arran.[6] Issue by Lord Lovat:—

1. *Alexander*, Master of Lovat, who died in infancy.
2. SIMON, Master of Lovat, who succeeded.
3. *Thomas*, appointed, on 26 November 1579, Prior of Beauly.[7] Said to have died young.
4. *Margaret*, to whom James, Earl of Arran, was appointed tutor by King James, 10 July 1581.[8]
5. *Mary*, married to James Cuming of Altyre.[9]
6. *Anna*, married to Hector Monro, the Laird of Fowlis.[10]

VI. SIMON, sixth Lord Fraser of Lovat. He succeeded his father at the age of seven, and after some opposition on the part of William Fraser of Struy, his uncle Thomas Fraser of Knockie was appointed tutor. On 20 June 1578 he was served heir to his father in the lands of Beaufort,[11] and on 10 August 1579, while still in pupillarity, was given a royal confirmation of the grant of the Priory of Beauly

[1] *P. C. Reg.*, ii. 500. [2] *Wardlaw MS.*, 160. [3] *Retour*, 20 June 1578; *P. C. Reg.*, ii. 590. [4] *Reg. of Deeds*, xi. f. 137. [5] *Reg. Sec. Sig.*, xlvi. f. 66. [6] *Wardlaw MS.*, 176. [7] *Reg. Mag. Sig.*, Minutes of Evidence, 51. [8] *Wardlaw MS.* [9] Edin. Tests., 21 December 1597. [10] Cf. vol. i. 445. [11] *Retours, Inverness.*

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made to his father by Walter, Abbot of Kinloss.[1] On 10 October 1586 he got confirmation of the charter given on 13 May 1544 to his great-grandfather Hugh, Lord Lovat, by Patrick, Bishop of Moray, of Eister and Wester Kilmyles and others in Inverness-shire.[2] That same year, at the age of sixteen, Simon went to Ireland with a young Irishman named John Route, and while there, stayed with the Earl of Antrim, and also took 'a circuit through most of the kingdom to visit friends and divert himselfe with persones of qualety in manly sports of hunting and hawking.'[3] He did not return from Ireland for two years. From 1607-1610 he was Sheriff of Inverness.[4] On 27 January 1618 he had a Crown charter of the lands and barony of Foulis on the resignation of Robert Monro.[5]

Simon, Lord Lovat, lived at Beauly and kept up a very large establishment, his expenditure being very much in excess of his income.[6] He died at Bunchrew on 3 April 1633,[7] and was succeeded by his eldest son Hugh. He was buried at Beauly, the obsequies being attended with the greatest pomp and ceremony. It is computed, says Mackenzie,[8] that upwards of 5000 men, horse and foot, conveyed the body from Bunchrew.

In December 1589 he married, at Dingwall, Katherine Mackenzie, daughter of Colin Mackenzie of Kintail. She died in May 1593,[9] and two years later Lovat married Jean Stewart, daughter of James, Lord Doune, the 'Bonnie Earl of Moray.' She brought him a tocher of £20,000 Scots. Both the King and Queen were present at the wedding. The second Lady Lovat died in 1622, and her husband married, thirdly, Katherine, daughter of William Rose of Kilravock, widow of James Grant of Ardneillie. She survived Lord Lovat, and died 19 September 1658, aged seventy-seven.[10] Lord Lovat had issue by his first wife:—

1. HUGH, who succeeded.
2. *Elizabeth*, born in 1591; married to John Dunbar, Sheriff of Morayshire.[11]

By his second wife he had:—

3. *Sir Simon* of Inverallochy. On 17 June 1611 Lord

[1] *Reg Mag. Sig.* [2] *Ibid.* [3] *Wardlaw MS.*, 193. [4] *Reg. Mag. Sig.* [5] *Ibid.* [6] *Wardlaw MS.*; Mackenzie's *Hist. of Frasers*, 157. [7] *Retours*, 10 May 1633. [8] *Hist. of Frasers*, 159. [9] Edin. Tests., 3 June 1596. [10] *Family of Kilravock*, 84. [11] Mackenzie, *Hist. of Frasers*, 158.

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Fraser of Lovat granted his son Simon the barony of Kinkell-Fraser.[1]

On 20 December 1616 the lands of Inverallochy were erected into a barony and granted to Simon, Lord Lovat and Jean Stewart, his spouse, in liferent, and to Simon Fraser, their eldest lawful son, and Jean Moncrieff, his spouse, in fee, and their heirs, whom failing, to James Fraser (of Brea), etc.[2] He received the honour of knighthood, it is said at the age of nineteen, by the King at Holyrood.

He died in July 1620,[3] and was buried by permission of the Cummings in the chapel of St. Catherine's Isle in the Rood Church at Inverness. He was ancestor of the Frasers of Inverallochy.

He married in 1616 Jean, daughter of Sir John Moncrieff, and lived chiefly at Bunchrew.[4] She was married, secondly (contract 9 August 1621), as his second wife, to Sir Thomas Burnett of Leys.[5]

4. *James* of Brea, born 1610. He was knighted while in his seventh year by the King at Edinburgh. On 15 July 1643 he had a royal charter of the lands of Brea and Uddell in Cromartie and Inverness.[6] He was Governor of Inverness, and in the Valuation Roll of Inverness and Ross in the year 1644 was returned for lands to the value of £3271, 13s. Scots.[7] He was tutor of Lovat in 1646, and is described as 'Sole Superiour of the country, sways in grandeur beyond any lord we ever had, is a great minion at Court, the Marques of Argile's creatur, caressed by all.'[8] He died 6 December 1649, and was buried at Kirkhill. Sir James married a lady named Beatrice Wemyss,[9] by whom he had, with several daughters, two sons: (1) *James*, who succeeded him; and (2) *David Fraser* of Mayne, who had a son *Simon*, 'an ungrateful and unnatural villain,' who was made prisoner at the battle of Almanza, and there was kept from starving by the charity of Simon, Lord Lovat, and

[1] *Reg. Mag. Sig.*, 20 June 1611. [2] *Reg. Mag. Sig.* [3] Cf. Lovat Peerage Case, 21 June 1827, pp. 82, 83, etc. [4] *Hist. of the Frasers*, 513. [5] *Family of Burnett of Leys*, New Spalding Club, 62. [6] *Reg. Mag. Sig.* [7] Mackenzie, *Hist. of the Frasers*, 522. [8] *Wardlaw MS.* [9] Minutes of Evidence, 73, 30 May 1827.

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nevertheless treacherously sold him to Lord Atholl, though Lovat had frequently befriended him.[1]

5. *Thomas*, 'a hopefull youth, dyed of the stone,'[2] born 1606, died 20 May 1613.[3]
6. *James*, baptized at Inverness 4 June 1612.[4]
7. *Anne*, who died at the age of eight years.
8. *Margaret*, married, first (contract 29 April 1617), to Sir Robert Arbuthnot; he died in 1633, and she was married, secondly, in 1653, to Sir James Haldane of Gleneagles,[5] with issue by both husbands.
9. *Jean*, who died young.

VII. HUGH, seventh Lord Fraser of Lovat, born September 1591, was in his forty-third year when he succeeded his father in 1633. He was served heir in the lands of Lovat, Beaufort Agaes, etc., on 10 May 1633, and in other lands in Inverness on 19 May 1635,[6] and died in 1646. He married whilst Master of Lovat, in 1614, his cousin Isobel, daughter of Sir John Wemyss of that Ilk. She brought him a tocher of 10,000 merks. She predeceased her husband in 1636, aged thirty-eight. They had issue:—

1. *Simon*, Master of Lovat, born 1621. In 1635, at the age of fifteen, he enlisted and trained a troop of fencibles in Lovat. He was educated at the University of Aberdeen, where he seems to have excelled in archery, winning the silver arrow in 1636. In 1637 he spent a quarter of a year at St. Leonard's College at St. Andrews. He predeceased his father on 20 March 1640, unmarried, and on 26 July 1642 his brother Hugh was served heir to him in the lands of Kinmylie and others.[7]
2. *Hugh*, also Master of Lovat, born 1624. He managed his father's affairs and estates, set up malt-kilns at Beauly, to which he transferred the Hallowmas fair from Kilmorack.[8] He married, at Holyroodhouse, 30 April 1642, Anna Lesly, daughter of Alexander, Earl of Leven, and died *vitâ patris* in April 1643.

[1] *Chiefs of Grant*, ii. 286. This, however, is only Lord Lovat's own way of putting it. [2] *Wardlaw MS.*, 225, 'shorne of ane gravell stane be ane callit Cumin.' [3] Kirk-session Minutes, Inverness. [4] Inverness Reg. [5] Arbuthnot Inventory. [6] *Retours, Inverness*. [7] *Ibid.* [8] *Wardlaw MS.*

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His widow gave birth on 2 May of that year to a posthumous son. She married, secondly, Sir Ralph Delaval of Seaton Delaval, Northumberland, her jointure having been previously commuted for 45,000 merks. The son was:—

HUGH, who succeeded his grandfather as Lord Lovat.

3. *Alexander*, born 1626. He was called Master of Lovat on the death of his brother Hugh, a designation which appears to have clung to him all his life. He went south in 1646 to his uncle, Lord Wemyss, who procured for him a commission in the Army. In 1649 he had risen to the rank of captain. He is described as a Ruttemaster in the Fife Regiment, and is mentioned as 'cussin germane' to Lord Elcho.[1] In 1651 he obtained a colonel's commission, and shortly afterwards became tutor of Lovat. He died 27 June 1671, leaving one daughter.[2] He married Sybilla Mackenzie, widow of the Laird of M'Leod, and got with her £3000 a year. She was a daughter of the Earl of Seaforth, and is described as a very avaricious woman.[3]
4. *Thomas* of Beaufort, of whom later.
5. *James*, born 1633. In 1646 he was living with Alexander Fraser of Foyness, Governor of Lovat, in Inverness, where he attended the school. He was given a lieutenant's commission in 1651, and a captain's commission in 1656. He engaged under Lord Cranston on behalf of the King of the Poles, in whose service he was killed in 1657.
6. *William*, born 1635. He died of stone at the age of four years.
7. *Mary*, born 1617, married, in 1635, to David Ross of Balnagown. She died in 1659.
8. *Ann*, born 1619, married, 24 January 1639, as his second wife, to John, Earl of Sutherland. She died at Dunrobin 23 July 1658.
9. *Katherine*, born in 1622. She was married, rather against her will, to Sir John Sinclair of Dunbeath.

[1] *Family of Wemyss*, i. 254. [2] Wardlaw Bill of Mortality. [3] *Wardlaw MS.*

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After his death she was married, 30 June 1653, to her cousin, Lord Arbuthnot. He died in 1655, and his widow took, 17 October 1658, as her third husband, Lord Fraser of Muchalls. She died 18 October 1663.

10. *Isobel*, who died young.

VIII. HUGH, eighth Lord Fraser of Lovat, born 2 May 1643. He was served heir to his father in 1647 in the lands of Easter Kilmyles and others, and in 1665 in the lands and barony of Lovat and others.[1] Sir James Fraser of Brea was appointed tutor to young Lovat, which post he held till his death in 1650, when Lord Lovat's uncle, Colonel Alexander, undertook the duties. Sir James, as tutor, sold the lands of Kilmyles to Colonel Hugh Fraser of Kinaries, and other lands to the amount of 50,000 merks.[2] Lord Lovat died on 27 April 1672, at the age of twenty-nine. When sixteen years old he was married, in July 1659, to Anne, second daughter of Sir John Mackenzie of Tarbet, Bart., a lady about fourteen years his senior. By her, who died 10 November 1670,[3] he had four children :—

1. HUGH, who succeeded him.
2. *Anne*, born 12 March 1661, married to Patrick, Master of Kinnaird, second Lord Kinnaird, and died 1684, being buried at Inchture 8 October. (*See that title.*)
3. *Isabel*, born 1662, married to Alexander Mackenzie of Glengarry.[4]
4. *Margaret*, born 1666, married to Colonel Andrew Monro.[5]

IX. HUGH, ninth Lord Fraser of Lovat, was born 1666, and succeeded his father at the age of six. He died 14 September 1696, having married (contract 18 March 1685) Amelia Murray, only daughter of John, first Marquess of Atholl. She was, not long after her husband's death, seized on by Simon Fraser (of whom afterwards), who forced her into a marriage with him, though, as he married twice during her life, the ceremony can hardly have been considered valid. For this crime he was indicted before the Court of Justiciary

[1] *Retours, Inverness*. [2] *Wardlaw MS.*; *Reg. Mag. Sig.*, 23 August 1647. [3] Wardlaw Bill of Mortality. [4] Douglas's *Peerage*. [5] *Ibid.*; Mackenzie, *Hist. of Frasers*, 202.

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17 February 1701 and outlawed. She died at Perth 6 May 1743, aged over eighty. By her Hugh, Lord Lovat, had issue:—

1. *Hugh*, Master of Lovat, born 1690, died 16 March 1693.[1]
2. *John*, Master of Lovat, born 1695, died 10 August 1696.[2]
3. AMELIA, of whom afterwards.
4. *Anne*, born 1689; married, first, in September 1703, to Norman Macleod of Macleod; secondly, to Peter Fothringham of Powrie; and lastly, as his third wife (contract 23 October 1717), to her cousin, John, Earl of Cromartie, who died 1731. She survived him, and was alive 14 December 1733.[3]
5. *Catherine*, married at Perth, 25 July 1706, to Sir William Murray, afterwards Sir William Murray of Ochtertyre, Bart. She died at Foulis, 4 March 1771, aged eighty-one.[4]
6. *Margaret*, died unmarried.

AMELIA, Baroness Lovat. On the death of Hugh, ninth Lord Fraser of Lovat, a question arose as to respective rights of the heir of line and the heir-male to the succession. Lord Lovat having left no surviving male issue, his daughter Amelia, as heir of line, assumed the title, which is said to have been resigned by her father into the hands of the King for re-infeftment to him and his daughters;[5] Thomas Fraser of Beaufort (*see post*, p. 536), the heir-male, also assumed the title, the estates having been conferred on him in liferent by a deed executed by Lord Lovat 20 March 1696. Beaufort's son, the notorious Simon, saw his way to end the controversy by marrying the heir of line, and he persuaded her to elope with him from the house of Castledownie, where she was staying with her mother. But Fraser of Teniechiel, who had undertaken to carry out the elopement, ultimately persuaded her to return to her mother. Simon Fraser then besieged Castledownie, and took possession of the lands, and, as above mentioned, went through a form of

[1] Wardlaw Bill of Mortality. [2] *Ibid.* [3] Fraser's *Earls of Cromartie*, i. p. ccix. [4] *Complete Baronetage.* [5] Crawfurd's *Peerage*, but no confirmation of this assertion has been found.

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marriage with the Dowager Lady Lovat, as the young lady had been conveyed beyond his reach. For this lawless behaviour the Frasers were in 1698 brought to book, tried by the Court of Justiciary on a charge of high treason and other offences, and were condemned to death. His subsequent career will be dealt with later. Amelia, Baroness Lovat, was married in 1702 to Alexander Mackenzie, younger of Prestonhall, who assumed the name of Fraser of Fraserdale. He engaged in the rising of 1715, for which he was attainted. He died at Leith 3 June 1755, aged seventy-two. His widow, the Baroness, died at Leith 22 August 1763. They had issue:—

1. *Hugh*, who, on the death of his mother, assumed the title of Lord Lovat. He died at Edinburgh 9 November 1770, aged sixty-seven.[1] He married Amelia, daughter of Thomas Fothringham of Powrie, by whom he had:—

(1) *Amelia*, died at Leith 31 May 1758.
(2) *Katherine*, married to David Brown, watchmaker, Edinburgh, and died before 4 June 1796, when her testament was confirmed.[2]

The descent of the heir-male of Hugh, ninth Lord Fraser of Lovat, to whom the title, as will afterwards be shown, was ultimately adjudged, was as follows:—

X. Thomas Fraser of Beaufort, tenth Lord Fraser of Lovat, was the fourth son of Hugh, seventh Lord Fraser of Lovat. He was born in 1631, and as a young man was his sister Catherine's chamberlain at Dunbeath.[3] He served under Dundee in 1689. He was, in absence, along with his son Simon and others of the clan, convicted by the Court of Justiciary of high treason and sentenced to death. His son, however, succeeded in conveying him to Skye, where he died in the Castle of Dunvegan in May 1699. He married, in April 1665, Sybilla, daughter of John Macleod of Macleod. She died in June 1682. By her he had fourteen children, five of whom died in infancy.[4] The others were:—

1. *Alexander*, joined Viscount Dundee in 1689; died 20

[1] Testament confirmed 18 December 1770. [2] Edin. Tests. [3] *Wardlaw MS.*, 395. [4] Anderson's *History of the Frasers*, 119.

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November, and was buried at Kirkhill 3 December, 1689.[1]

2. SIMON, who succeeded his father, and of whom a notice follows.
3. *Hugh.*
4. *John*, born 1674. Having been convicted of fire-raising, he fled to France in 1704, entered the Dutch service, and was known as Le Chevalier Fraser.[2] He is said to have returned to Scotland *incognito* in 1713. He died unmarried in 1716.[3]
5. *Thomas.*
6. *James*, died 27 September 1679.
7. *Isabel.*
8. *Sybilla.*
9. *Catherine.*

XI. SIMON FRASER, eleventh Lord Fraser of Lovat, second, but eldest surviving, son, succeeded his father. He was born about 1667. He was educated at King's College, Aberdeen, where he graduated, and through all his troubled life he never entirely lost a taste for letters. In 1696 he accompanied Lord Murray, afterwards Earl of Tullibardine, and his cousin Hugh, Lord Lovat, to London. While there he succeeded in getting the latter, who appears to have been somewhat weak, to settle the liferent of his estates on his father Thomas, while he himself got a grant of 5000 merks. As Lovat died shortly after, the bequest was not long in coming into operation. Fraser then attempted to carry off Lord Lovat's daughter, and failing in this he did go through a ceremony of marriage with her mother, as above narrated. After being condemned as a traitor in 1698, for the series of outrages he had committed in connection with those proceedings, he went to France and visited the Court of the exiled King at St. Germains. He did not remain long abroad, and on returning home managed to get a pardon from King William for his political offences, a pardon which, much to his disgust, did not prevent him from being outlawed in

[1] Wardlaw Bill of Mortality. He was the alleged ancestor of John Fraser of Carnarvon, who claimed the title in 1885. [2] Lovat's *Memoirs*, 229, 329; Lovat Peerage Case, 1857. [3] He was the alleged ancestor of the Rev. Alexander Gordon Fraser, who claimed the title in 1855.

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1701 for his conduct in regard to the Dowager Lady Lovat. In 1702 the Baroness Amelia and her husband obtained from the Court of Session a decree that the honours and dignity of Lovat were in the person of the said Amelia, and that Simon Fraser had no right thereto; and that as he had been attainted and sentenced to death, any honours or dignity which he might have had were forfeited to the Crown and extinguished. In 1703 King Louis sent Fraser to Scotland on a political mission, but he acted a double part, and his faithlessness becoming known at St. Germains, he was on his return to France imprisoned for three years, according to his own account in the Castle of Angoulême, but according to others in the Bastille. He was, after many adventures, which cannot be narrated in detail, back in Scotland in 1715, and rendered such service to the Government in putting down the rebellion of that year that he received, on 10 March 1716, a full pardon and a liferent of the Lovat estates, the Baroness's husband, Mackenzie, having been concerned in the rising and attainted, though his lands were not formally forfeited.

In 1721, 1722, and 1727 Lovat's vote was objected to at the election of Scottish Representative Peers, on the ground that the decision of the Court of Session of 1702, holding that the title was vested in Amelia Fraser, Baroness of Lovat, was unreversed and unappealed from.[1] In 1730 Fraser raised an action of reduction of this judgment, and on 30 July obtained a decision declaring that the title, dignity, and honours of Lord Fraser of Lovat belonged to him as heir-male of the family. It was not, however, till 1733 that he got possession of the estates, and then only by the compromise of paying a sum of money to Hugh Mackenzie, the son of the Baroness. The political intrigues and tortuous devices of Simon, Lord Lovat, have been treated so fully by various authors that it is unnecessary to do more than allude to them here.[2] Suspicions of his loyalty having arisen in the minds of the Government, he succeeded in dispelling them for a time, and the King actually agreed to become godfather to one of his children. But in 1737 he

[1] Robertson's *Proceedings*, 93, 105, 122. [2] The authorities for his life are given at length at the end of the able notice of him in the *Dict. Nat. Biog.*

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was relieved of the command of his Highland regiment and of his office of sheriff. At the beginning of the rising of the '45 he sent his son to join the Prince, while he himself remained at home. After the battle of Prestonpans, on 21 September, he raised his clan for the Prince, but on 11 December was taken by Lord Loudoun and held as a hostage for their fidelity. He made his escape within a few weeks. After the battle of Culloden he vainly endeavoured to induce the Prince to make another stand, and on his refusal to do so he himself retired to a hiding-place on Loch Muilly; from there he was hunted to Loch Morar, and ultimately captured under somewhat grotesque circumstances. Aged, fat, and gouty, he was taken on a litter to Fort William, and thence to London, where he was committed to the Tower. He was tried for high treason before the House of Lords, was condemned to death 18 March 1747, and beheaded 9 April.

Lord Lovat's character is a matter of history. Shrewd and sagacious as he undoubtedly was, his utter want of principle was his ruin, and the general heartlessness of his conduct was only equalled by his dexterous endeavours to make all parties believe in his good faith. His personal appearance has been handed down to posterity in the well-known and characteristic portrait by Hogarth, which was taken at St. Albans, on his last journey to London to be tried.

Lord Lovat, besides the ceremony through which he went with the Dowager Lady Lovat, married, first, in December 1716, Margaret, fourth daughter of Ludovick Grant of Grant. She died, after childbirth, in January 1729.[1] In 1732 he proposed to Marion Dalrymple, daughter of Sir Robert Dalrymple of Castleton, and granddaughter of Sir Hew, the Lord President, but that young lady, contrary to the advice of her relations, refused the marriage, after the contract had been drawn up and the date fixed.[2] It was rumoured that Lord Lovat was to blame for the rupture, which rumours caused him great grief and indignation. 'There is not a man of rank or birth in the world,' he writes to the President, 'if he is not a sad scoundrell, but reckons his reputation dearer to him than his life; I alwayes

[1] Fraser's *Chiefs of Grant*, i. 330; ii. 298. [2] *Ibid.*, ii. 301 *et seq.*

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did so, and will while I breathe.[1] On 1 July 1733 he married, it is said by a shameful stratagem, secondly, Primrose, fifth daughter of the Hon. John Campbell of Mamore, a sister of John, fourth Duke of Argyll. She and Lord Lovat did not agree. He complains of her 'hellish temper,' and describes her as 'a mixture between a devil and a daw,'[2] accusing her of being 'an habitual lyar and backbitter, a compleat hipocrite, making religion a clock to all her villainy; and it is certain that she is a more artfull thieff than any rogue that ever was in England or in Scotland.'[3] They separated, Lord Lovat entering into a stamped agreement to give her ladyship £30 a year, paid quarterly.[4] She died at Edinburgh 23 May 1796, aged eighty-six.

By his first wife, Margaret Grant, Lord Lovat had issue:—

1. Simon, who succeeded.
2. *Alexander*, or *Alistair*, baptized at Kiltarlity 1 July 1729,[5] died 7 August 1762, unmarried.
3. *Janet*, married to Ewen Macpherson of Cluny; she died at Cluny 14 April 1765.
4. *Sybilla*, died, unmarried, 9 February 1755.

By Primrose Campbell he had issue one son:—

6. Archibald Campbell, born 16 August 1736, who succeeded his half-brother Simon.

XII. Simon Fraser, *de jure* twelfth Lord Fraser of Lovat, was born 19 October 1726.[6] He succeeded his father as head of the family, but did not acquire the honours and estates. He served under the Prince in the rising of 1745, and was attainted in 1746.[7] He was pardoned in 1750, and on 25 July 1752 was called to the Scottish Bar.[8] He was counsel in the trial of James Stewart of Aucharn in 1752.[9] At the commencement of the Seven Years' War Fraser raised 1460 recruits in a few months. This corps afterwards became the 78th or Fraser Highlanders. His colonel's commission was dated 5 January 1757. In that year he took his regiment to America, and there served under Wolfe. Wolfe, in a letter to Lord

[1] Fraser's *Chiefs of Grant*, ii. 301 *et seq.* [2] *Ibid.*, 367. [3] *Ibid.*, 371. [4] *Ibid.*, 367. [5] Kiltarlity Reg. [6] *Ibid.* [7] 19 Geo. II. c. 26. [8] Minutes of Faculty of Advocates, in Advocates' Library, Edinburgh. [9] Arnot's *Criminal Trials*, 225-229.

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George Sackville, says, 'The Highlanders are very usefull, serviceable soldiers, and commanded by the most manly corps of officers I have ever seen.'[1] He was wounded at Montmorenci and at Sillery. In 1762 he was sent as Brigadier-General to Portugal.

In 1774 a special Act was passed by which, in recognition of his services in America and Portugal, the estates which were forfeited from his father were restored to him on payment to the Crown of the sum of £20,983, 0s. 1d., sterling.[2] By deed of entail, dated 16 May, and registered 18 June and 28 July 1774, General Fraser entailed his recovered lands on his younger brother Archibald. In 1776 he raised two more Highland battalions of 2340 men. He was appointed colonel of both battalions. He was one of the originators of the Highland Society of London in 1778, and was member for Inverness from 1761 till his death on 8 February 1782.

He married Catherine, daughter of John Bristowe of Quickenham Hall, Norfolk, who survived him. They had no issue.

XIII. Archibald Campbell Fraser of Lovat, *de jure* thirteenth Lord Fraser of Lovat. He was born on 16 August 1736, and succeeded his brother in the estates of Lovat in 1782. He acted as British Consul at Algiers from 1766 till after 1774. Some years before his death he erected to his own memory, in the church at Kirkhill, a tablet which relates that the 'Honourable A. C. Fraser, Lord of Beaufort, Abertarff and Loveth, soldier, MacShimi thirty-eight, nephew to John, Duke of Argyll, godson to Archibald, Duke of Argyll,' affected (*sic*) a peace between the Kingdom of Denmark and the Republic of Venice, whilst on a diplomatic mission from George III. to the Mohammedan states of Africa, procured indemnification from Russia for depredations committed on the British flag, and redeemed Spanish and other subjects at the expense of two million pounds to their mother countries, while not a single Briton was taken into slavery. It narrates that in 1782 he co-operated with James, Duke of Montrose, in recovering to the Highlanders the dress of their ancestors; that in 1785 he, at his own expense,

[1] *Ninth Rep. Hist. MSS. Com.*, iii. 74. [2] 14 Geo. III. c. 22.

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surveyed the fishings on the west coast and the Hebrides, and petitioned for a repeal of the tax on coal and salt; that he encouraged industries and agriculture, amended the breed of Highland oxen, and *broke them in for harness*, and by finding work for discharged soldiers repressed emigration and preserved their services to the country.

In 1782 Colonel Fraser was elected member for Inverness. He had a passion for making settlements of his property; having in the course of his life made no less than ten, all different, but the result of them all was, that by deed 15 August 1808 he entailed his property on Thomas Alexander Fraser of Strichen and his heirs-male, and by deed dated 2 July 1812 he entailed the estate of Abertarff, which he had acquired, on the illegitimate child of his eldest son.

Colonel Fraser raised a regiment of Fraser Fencibles, which did excellent work in Ireland during the French wars. He died 8 December 1815.

He married, in 1763, Jane, daughter of William Fraser of Leadclune, and sister of Sir William Fraser, F.R.S., created a Baronet 27 November 1806. By her he had issue five sons, who all predeceased their father.

1. *John Simon Frederick*, who was member of Parliament from 1796 to 1802, and in 1797 was appointed colonel of the Fraser Fencibles. He died at Lisbon on 6 April 1803, aged thirty-eight. He was unmarried, but left an illegitimate son:—

    Archibald Thomas Frederick, to whom Colonel Archibald Fraser left the estate of Abertarff. This Archibald Thomas married Janetta, third daughter of Colonel Duncan Macpherson of Cluny, and had a son who died in infancy, and a daughter Catherine. On his death in 1884 the estate of Abertarff reverted to Lord Lovat in terms of a decision of the Court of Session dated 14 May 1824.

2. *Archibald*, born in Edinburgh, and died unmarried in 1792.
3. *Henry Emo*, born in Algiers 1768, and died at Edinburgh 25 August 1782.
4. *John George*, (?) born 26 September 1778, died 22 November 1779.
5. *William Henry*, who died 25 February 1801.

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On Colonel Archibald Campbell Fraser's death, 8 December 1815, the representation of the family fell to the Frasers of Strichen, descended from

THOMAS FRASER of Knockie and Strichen, who was the second son of Alexander, fourth Lord Fraser of Lovat, by Janet, daughter of Sir John Campbell of Calder. On 24 September 1557 his father granted him a charter of Meikle Ballycharynach and Knockie.[1] He had also charters of Inchany, Fairlie, Kinmyles, and other lands. On 25 January 1590-91 he had a charter of the barony of Strichen,[2] which he acquired from Katherine and Violet Fraser, the daughters and heiresses of the late Thomas Fraser of Strichen, a son of the Laird of Philorth, who was killed by John Gordon, younger of Gight, in a quarrel. He was tutor to his nephew Simon, Lord Lovat, on the death of his brother Hugh in 1576.

He died 2 October 1612, at Inverness, aged sixty-seven,[3] having only survived his wife a short time. He married Isobel or Elizabeth Forbes, a daughter of John Forbes of Corsindae, and widow successively of William Chalmer of Strichen, and secondly, of Thomas Fraser, son of Alexander, seventh Laird of Philorth;[4] she died 30 November 1611. They had issue:—

1. THOMAS, who succeeded.
2. *Jean*, married to Sir James Stuart of Newton.[5]
3. *Magdalen*, married to Hugh Rose of Kilravock.[6]

THOMAS FRASER, second of Strichen, was served heir to his father on 31 October 1612. He had charters of Strichen,[7] Kinmyles, Fanellan, and Kingillie, and Easter Moniack. He was Sheriff of Inverness for many years. He died in March 1645. He married, first, in 1606, Christian, eldest daughter of William Forbes of Tolquhoun; and secondly (contract dated 4 August 1628), Margaret Macleod, widow of Sir Roderick Mackenzie of Coigach, tutor of Kintail (contract 4 August 1628). By his first wife he had issue:—

1. THOMAS, who succeeded.

[1] Strichen Charters, Printed Evidence Lovat Peerage Case, 1857. [2] *Reg. Mag. Sig.*, 25 January 1590-91. [3] *Wardlaw MS.*, 241. [4] *Wardlaw MS.*; *Frasers of Philorth*, ii. 148, 149. [5] *Reg. Mag. Sig.*, 27 June 1605. [6] Kilravock Papers. [7] *Reg. Mag. Sig.*, 10 March 1618.

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2. *Hugh* of Easter Tyrie, who granted an obligation, on 7 September 1643, relative to the Moss of Menzie.[1]

THOMAS FRASER, third of Strichen, succeeded his father in 1645. The Valuation Roll of the sheriffdom of Inverness for 1644 has the following entries against Thomas Fraser of Strichen 'for lands in Boleskine and Abertarff, a rental of £500, 16s. 8d.; in Wardlaw, £425; in Dunlichity £193, 6s. 8d., and in Kilmorack, £300.' He died in 1656.[2] He married (contract 4 November 1628), Christian, daughter of John Forbes of Pitsligo, who brought him a tocher of 14,400 merks; by her he had issue:—

1. THOMAS, his heir.
2. *James*, mentioned in Wardlaw Bill of Mortality 26 February 1685.
3. *Christian*, married (contract 5 June 1649) to Alexander Burnett of Craigmill.

THOMAS FRASER, fourth of Strichen, was served heir to his grandfather in the lands of Strichen and Ballacraggan, the half of Easter Moniack, the patronage of the kirk of Bonach, and other lands, including Knockie, 15 January 1657.[3] He died on 26 February 1685, having married (contract 1656) Marion, daughter of Robert Irvine of Federat, and had issue:—

ALEXANDER, his heir, and other children.

ALEXANDER FRASER, fifth of Strichen, succeeded in 1687, and died 3 November 1699. He married, first, Elizabeth, eldest daughter of Sir Archibald Cockburn of Langton. She died 26 July 1693 without issue;[4] secondly (contract dated July 1697), Emilia, daughter of James, Lord Doune, eldest son of Alexander, sixth Earl of Moray. By her he had:—

1. *Hugh*, died 2 July 1693.[5]
2. JAMES, who succeeded.
3. ALEXANDER, who succeeded James.
4. *Thomas*.
5. *Marion*, married (contract 26 March 1715), to James

[1] Mackenzie's *History of Frasers*, 528 *et seq.* [2] *Retours, Inverness.* [3] *Ibid.* [4] Wardlaw Bill of Mortality. [5] *Ibid.*

Craig, of Riccarton, advocate, who was Professor of Civil Law at Edinburgh University.

JAMES FRASER, sixth of Strichen, was served heir to his father on 16 April that year. He died unmarried,[1] and was succeeded by his brother Alexander.

ALEXANDER FRASER, seventh of Strichen, was served heir to his brother on 14 August 1725. He had a Crown charter of the lands and barony of Lentran, disponed to him by Simon, Lord Lovat, dated 11 February 1741. He was admitted advocate 23 June 1722.[2] He succeeded Sir Andrew Hume of Kimmerghame as a Judge of the Court of Session, taking his seat as Lord Strichen on 5 June 1730, and became a Lord of Justiciary on 11 June 1735. He was made General of the Mint in 1764, and resigned his seat as a Justiciary Judge, but retained his office in the Court of Session till his death,[3] which took place at Strichen 15 February 1775, at the age of seventy-six. He was a very advanced agriculturalist, and was one of the first men to make use of artificial manures.

He married, 19 September 1731, Ann, daughter of Archibald, first Duke of Argyll, and widow of James, second Earl of Bute. By her, who died at Strichen 9 October 1736, he had an only son,

ALEXANDER FRASER, eighth of Strichen. He received the family estates from his father during the latter's lifetime by disposition dated 5 February 1759. He is referred to by Boswell as 'the worthy son of a worthy father.'[4] He died at Strichen 17 December 1794. He married (contract 13 and 25 March 1764) Jean, only child of William Menzies, of the parish of St. Ann's, Jamaica, and through her received an estate in Jamaica, which he sold in 1793. By her he had issue:—

1. ALEXANDER, who succeeded.
2. *Stewart Mackenzie*, who died without issue.
3. *Thomas*.

[1] Inverness Tests., 22 December 1729. [2] Faculty Records. [3] Brunton and Haig, *Senators of College of Justice*, 503. [4] Boswell's *Tour to the Hebrides*.

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4. *William*, who died before 1797, without issue.
5. *Francis*, died at Strichen 27 April 1775.
6. *Frances Jean.*
7. *Anne.*
8. *Jane*, married, in 1799, to John Morrison of Auchintoul.

Alexander Fraser, ninth of Strichen. He had a Crown charter of resignation of the baronies of Strichen and Lentran, dated 3 February 1795. He sold Lentran to a Mr. Warren in 1797 for £2500, who, twenty-five years later, sold it to Major Thomas Fraser of Newton for £25,000. He was a captain in the 1st Regiment of Dragoon Guards. He died 28 October 1803, having married, 10 May 1800, Emilia, eldest daughter of John Leslie of Balquhain, by whom, who died 27 August 1860, he had one son:—

Thomas Alexander.

XI. Thomas Alexander Fraser, tenth of Strichen, twelfth Lord Fraser of Lovat. He was born in 1802, and was served heir to his father in the barony of Strichen on 30 April 1804, and heir of entail and provision to the Hon. Archibald Campbell Fraser on 22 March 1816; on 3 November 1823 he was served nearest and lawful heir-male of the body of Hugh, third Lord Fraser of Lovat, grandfather of Thomas of Knockie and Strichen; nearest and lawful heir-male to Hugh, Lord Fraser of Lovat, grand-nephew of Thomas Fraser of Beaufort, otherwise styled Thomas, Lord Fraser of Lovat, and nearest and lawful heir-male to the said Thomas Fraser of Beaufort. In 1826 he presented a petition to the Crown for the restoration of the title, with the result that on 28 January 1837 he was created BARON LOVAT OF LOVAT, in the Peerage of the United Kingdom, and on 11 August 1857, after his petition had been before the Lords for a period of thirty-one years, his Scottish title was restored to him.

He was for many years Lord-Lieutenant of Inverness. He died 28 June 1875. He married, 8 August 1823, Charlotte Georgina Dorothea, eldest daughter of Sir George William Jerningham, Bart., of Cossy Hall, Norfolk, after-

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wards eighth Lord Stafford. By her, who died 28 May 1876, Lord Lovat had issue:—

1. Simon.
2. *Alastair Edward.* He was a lieutenant-colonel in the Scots Fusilier Guards. Born 13 January 1831; married, 13 January 1858, Georgina Mary, daughter of George Heneage, of Hainton Hall, Lincolnshire, without issue. He served in the Crimea, and was present at Alma, Inkerman, Balaclava, and the siege of Sevastopol. He died 20 September 1885.
3. *George Edward Stafford*, born 17 February 1834; died at Edinburgh 4 May 1854, unmarried.
4. *Henry Thomas*, late lieutenant-colonel Scots Fusilier Guards, born 2 December 1838; died, unmarried, on 3 August 1904.
5. *Amelia Charlotte*, born 22 August 1824; on 17 September 1846 married to Charles Robert Scott Murray of Danesfield, Buckinghamshire.
6. *Frances Georgina*, born 20 February 1826; on 9 May 1844 married to Sir Pyers Mostyn, Baronet, of Talacre. She died 25 December 1899.
7. *Charlotte Henrietta*, born 6 June 1827; on 27 November 1866 married to Sir Matthew Sausse, late Chief Justice of Bombay; died 21 July 1904.

XII. Simon Fraser, thirteenth Lord Fraser of Lovat. He was born 21 December 1828. He was Lord-Lieutenant for the county of Inverness from 1872 till his death, and commanded the Inverness-shire Militia. He was a Director and Vice-Chairman of the Highland Railway Company. He died 6 September 1887.

He married, 14 November 1866, Alice Mary, daughter of Thomas Blundell, of Ince Blundell, Lancashire, by whom he had issue:—

1. *Simon Thomas Joseph*, Master of Lovat, born 17 August 1867, and died 28 September 1868.
2. Simon Joseph, present Lord Fraser of Lovat.
3. *Hugh Joseph*, born 6 July 1874. He is a captain in the Scots Guards, and served with distinction in the South African War 1900-1902.
4. *Alastair Joseph*, born 1 August 1877. He is a graduate

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of Oxford University, and served in South Africa 1901-1902.

5. *Mary Laura*, born 2 April 1869. She was married, on 25 May 1898, to Viscount Encombe, who died 18 August 1900, leaving issue.
6. *Alice Mary Charlotte*, born 3 March 1870. She was married, on 30 April 1890, to the Hon. Bernard Constable Maxwell, a brother of Lord Herries, by whom she has issue.
7. *Etheldreda Mary*, born 22 November 1872. She was married, 12 January 1903, to the Hon. Francis Oswald Lindley, youngest son of Lord Lindley, by whom she has issue.
8. *Margaret Mary*, born 25 June 1881.
9. *Muriel Mary Rose*, born 12 July 1884.

XIII. Simon Joseph, fourteenth Lord Fraser of Lovat. Born on 25 November 1871, he succeeded to the titles and lands in 1887. He served in the 1st Life Guards, and at the time of the South African War he raised a regiment of Scouts, under the name of Lovat's Scouts, in Inverness-shire, and with this regiment under his command he did such service as entitled him to honourable mention in despatches, and he was rewarded by being made a C.B. and received the D.S.O.

Creations.—Baron Fraser of Lovat, in the Peerage of Scotland, c. 1458; Baron Lovat of Lovat, in the Peerage of the United Kingdom, 28 January 1837.

Arms (recorded in Lyon Register).—Quarterly: 1st and 4th, azure, three cinquefoils argent; 2nd and 3rd, argent, three antique crowns gules.

Crest.—A buck's head erased proper.

Supporters.—Two bucks proper.

Motto.—*Je suis prest.*

[A. S. C.]

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LYLE, LORD LYLE

THAT the origin was of that family that is found settled in Renfrewshire in the beginning of the thirteenth century and is styled in charters 'de insula,' has not been ascertained. Douglas says that 'the name was assumed by the proprietors of some of the Western Isles in the reign of Malcolm Canmore,' but there is no evidence that the Lyles had ever anything to do with that locality. It is more probable that they were of the same stock as the Northumbrian family of 'de Insula' or Lisle, who appear in English record at an early period. The first of the name on record in Scotland is:—

Radulphus de Insula, who witnessed a charter of Walter FitzAlan to the Abbey of Paisley of the mills of Paisley and Raff 1164-1177.[1] He was also witness to a charter by Baldwin, Sheriff of Lanark, to the same abbey of the church of Inverkip, *circâ* 1170,[2] and he again appears about the same year in a charter to the said abbey by Walter Hore of Cragyn of the church of Cragyn.[3] As Radulf del Lyle he witnesses a charter by Alan FitzWalter to Robert Croc

[1] *Reg. de Passelet*, 87. [2] *Ibid.*, 112. [3] *Ibid.*, 231.

of the lands of Kilbride about 1200.[1] The next of the name on record is

Alanus de Insula, who witnessed, between 1208 and 1214, a charter to the Abbey of Paisley of a carucate of land at Hillington by the second Walter, son of Alan, High Steward, in exchange for certain land at Innerwick.[2] In 1246 he witnessed under the designation of Sir Alan de Insula, 'meus miles,' a charter of the Steward to the same abbey of two chalders of wheat annually from Inchinnan,[3] and in the same year another at Linlithgow upon the Monday after the octave of Epiphany of certain lands at Inverkip to the abbey.[4] He was alive in 1252, when he witnessed another charter of the Steward.[5] The William de Insula who witnessed a charter of Roger, Prior of Paisley 1223-33, may have been a brother of Alan.[6]

Petrus de Insula witnessed two charters of Malcolm, Earl of Lennox, to the Abbey of Paisley, the first dated at Renfrew on St. Valentine's day 1273, and the second at Dumbarton at Martinmas 1330.

John de Insula had a charter from King John Baliol on 23 February 1292-93 of the lands of Whitsome. He adhered to the English party in the struggle for Independence and was forfeited by King Robert Bruce. He had a son *Walter* whose rights to Whitsome were upheld in 1333-34. This John is probably the same as John de Insula or Lisle of Woodford.[7]

Sir John de Lyle was a witness to letters of Bailiary by Robert, Steward of Scotland, to Alan of Lauder, over his lands in Berwickshire 16 October 1369.[8] From David II. he also had a charter of the 'new wark' in Aberdeen, for the reddendo of a pair of gilt spurs, and another of 'ane voyd (waste place) in Aberdeen near the cockstool.'[9] On this 'voyd' he must have built a house, as some time afterwards, he, under the designation

[1] *Lennox Book*, ii. 3. [2] *Reg. de Passelet*, 20. [3] *Ibid.*, 87. [4] *Ibid.*, 113. [5] *Ibid.*, 90. [6] *Ibid.*, 20. [7] *Rotuli Scotiæ*, i. 22, 269, 374. [8] *Red Book of Menteith*, ii. 250. [9] Robertson's *Index*, 38, 14, 23.

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of John Lyll of Duchall, granted a charter of 'ane tenement near the cockstool' to Andrew Watson, burgess of Aberdeen.[1] On 25 November 1365 Sir John de Lyle resigned the lands of Lathhame in the constabulary of Haddington, which had been granted him by the King in the escheat of Malcolm de Fauside, in favour of the said Malcolm.[2] He married Margaret de Vaus, and had with her a charter of the lands of Buchanan, co. Stirling, 15 March 1368-69.[3] He had issue:—

1. JOHN, who succeeded.
2. *Alexander.*
3. *William*, styled, with his brother Alexander, 'patruis meis carissimis' by Robert, Lord Lyle, in 1452.[4]

SIR JOHN LYLE of Duchal. He is mentioned in several charters of King Robert II. as his father's son and heir. Sir John Lyle was succeeded by his son,

SIR ROBERT LYLE. He got a safe-conduct on 13 December 1423, to extend to 30 April following, to meet King James I. at Durham.[5] He became a hostage for that King 28 March 1424, his annual revenue being estimated at 300 merks.[5] In the following May he was sent from Knaresborough to the Tower,[6] and from London to Durham to be exchanged 28 February 1424-25.[7] He does not appear to have gone north, however, for some time, as he was not warded in York Castle till 16 June.[8] On the death of Alexander Stewart, Earl of Mar, in 1435, Sir Robert Lyle claimed his right to a moiety of the earldom, and in 1444 he entered into an agreement with Sir Alexander Forbes for an exchange of his parts of the lands of Strathdee and Kindrocht, lying within the earldom of Mar, for other lands 'after the said Sir Robert shall recover possession of half the lands of Mar lying within the sheriffship of Aberdeen.' He, however, made the agreement conditional on the rights of the Crown not being established against him, and he appears to have subsequently acquiesced in the title of the Crown, especially after the service of his brother-in-law Robert, Lord Erskine,

[1] Robertson's *Index*, 46, 42. [2] *Ibid.*, 79, 134. [3] *Reg. Mag. Sig.* [4] *Reg. de Paisley*, 250. [5] *Cal. of Docs.*, iv. 941. [6] *Ibid.*, 952. [7] *Ibid.*, 690. [8] *Ibid.*, 973. [9] *Ibid.*, 981.

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to the other moiety of the earldom had been reduced,[1] at all events no further claim in connection with the earldom was made by Sir Robert or his successors in the title. He married Elizabeth, daughter of Sir John Stewart of Castlemilk, by whom he had issue:—

1. Robert, created Lord Lyle.
2. *Elizabeth*, married Alexander Lyle, eldest son and heir of Alan Lyle of Cragbate.[2]

I. Sir Robert Lyle. He was created a Peer under the title of LORD LYLE. Douglas states the creation to have been about 1436, but he does not appear to have sat in Parliament as a Peer before 1454.[3] As Robert, dominus de Lyle, however, he granted a precept on 5 September 1452 to William Sympyll to infeft the Abbot, etc., of Paisley in a third part of the fishings of Crukytshots on the Clyde; this precept was witnessed, *inter alios*, by his 'carissimis patruis' Alexander and William Lyle.[4] On 13 April 1466 he had a charter from the King of the manor of Lyle, Over and Easter Mains and other lands which it is stated had been entailed on him and the same series of heirs by King James II. The grant is an extremely peculiar one, being to himself and the heirs-male of himself and his wife; whom failing, 'heredibus masculis inter eosdem Robertum et Margaretum qualitercunque genitis, assignandis tamen per dictum Robertum et heredibus masculis legitime procreatis ex eisdem'; whom failing, to his heirs-male whatever, and then to the eldest daughter of himself and his wife and the heirs-male of their bodies; whom failing, to Robert Lyle his natural son ('filius naturalis') and the heirs-male of his body; whom failing, to Lord Lyle's natural daughters 'qualitercunque genitis, assignandis tamen per dictum Robertum,' and the heirs-male of their bodies; whom failing, to Andrew de Galbraith and the heirs-male of his body, taking the name and arms of Lyle; whom failing, to Andrew Lyle, eldest son and heir of Alan Lyle of Cragbate and the heirs-male of the bodies of himself and his wife Elizabeth, sister of Lord Lyle; whom failing, to William Lyle, uncle of Lord Lyle; whom failing, to George Lyle of

[1] Mar Peerage Case; Earl of Kellie's Case, 19. [2] *Reg. Mag. Sig.*, 13 April 1466. [3] *Acta Parl. Scot.* Supp. 23*a*. [4] *Reg. de Paisley*, 250.

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Stanypeth; whom failing, to John Lyle of Ardardane and the heirs-male of their bodies respectively; whom failing, to the heirs whomsoever of Lord Lyle himself.[1] On 22 July 1468 he had a charter of the lands of Castlehill, co. Renfrew, to himself and the heirs-male of his body, whom failing, to Robert Lyle his natural son.[2] Lord Lyle witnessed a royal charter 20 February 1468-69,[3] and must have died shortly after that date, as his son is mentioned as an ambassador to England in 1472.[4] He married, first, Margaret, eldest daughter of Andrew, Lord Gray, before 6 July 1445, in which year he witnesses, under the designation of 'Robertus, dominus de Duchal,' a charter of Lord Gray to his son Patrick, and is styled by the granter his son.[5] He married, secondly, Margaret Wallace, mentioned as his wife in the entail of 1466 above referred to. He had two children:—

1. Robert, second Lord Lisle.
2. *Elizabeth*, said to have been married to John Stewart of Blackhall.[6]

II. Robert, second Lord Lyle, is said to have been an Ambassador to England in March 1472.[7] On 22 March 1481-82 he was tried in Parliament on a charge of treasonably corresponding with the exiled Earl of Douglas, but was acquitted.[8] He was afterwards employed on several embassies to England. In 1484 he was sent there with other ambassadors to conclude a treaty for the marriage of James, Prince of Scotland, with Anne de la Pole, the niece of Richard III., and daughter of the Duke of Suffolk;[9] also to conclude a truce for three years. The latter task was carried out, and Lord Lyle was appointed one of the conservators for Scotland.[10] He had a safe-conduct to England to treat for a renewed truce in May 1488,[11] another in May 1490,[12] and another nine months later.[13] On the latter date (26 February 1490-91) there is another safe-conduct including Lord Lyle and some, but not all, of the embassy to England mentioned in the previous safe-conduct, as ambassadors to the Spanish Court.[14] On 24 July 1488 he was made Justiciar

[1] *Reg. Mag. Sig.* [2] *Ibid.* [3] *Ibid.* [4] *Fœdera*, xi. 750. [5] Confirmed 10 January 1464-65, *Reg. Mag. Sig.* [6] Duncan Stewart's *History of the Stewarts*, 110. [7] *Fœdera*, xi. 750. [8] *Acta Parl. Scot.*, ii. 138. [9] *Cal. of Docs.*, iv. 1501-1504. [10] *Ibid.*, 1505. [11] *Ibid.*, 1539. [12] *Ibid.*, 1564. [13] *Ibid.*, 1568. [14] *Ibid.*, 1569.

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of Bute and Arran,[1] but he is styled 'Magnus Justiciarius Scocie' in the list of the commissioners for opening Parliament 6 October 1488.[2] He joined the Earl of Lennox and others who had taken up arms to avenge the death of King James III., and was forfeited before 4 July 1489, while a reward of £40 in land was offered for his apprehension. He was, however, not long in disgrace; on 5 February 1489-90 his forfeiture was annulled by the King, and the following day it was ordered to be struck out of the books of Parliament.[3] On 6 June 1491 Lord Lyle had a charter of the lands of Dowald and others, co. Renfrew, which, on 22 August following, he made over to his son John; at the same time he granted to another son Nicholas certain other subjects and liferents in the same county.[4] On 8 November following Lord Lyle also acquired the lands of Newark, which, along with the other lands just mentioned, had been appraised for the debts of Patrick Maxwell of Newark.[5] There is no evidence for the statement[6] that Lord Lyle married a daughter of John, Master of Seton. His wife in 1495 was Margaret Houstoun, as appears from a settlement to be afterwards referred to. She was married, secondly, to her husband's uncle, Andrew, second Lord Gray. He had issue:—

1. Robert, third Lord Lyle.
2. *George*, mentioned in the entail of 1495.
3. *John*, styled 'filius carnalis' in the charter of 1491.
4. *Nicholas*, also styled 'filius carnalis' in that charter.
5. *Margaret*. She had a charter 15 April 1494 from Matthew Stewart, son and heir of John Stewart, Earl of Lennox, of the lands of Inchavan and others.[7] She was married to James Stewart of Blackhall.
6. *Mariota*, married Peter Houstoun, probably a cousin; mentioned in the entail of 1495.
7. *Agnes*, had a charter from her father, 3 September 1492, in which she is styled 'filia carnalis' and sister-german of Nicholas and John, of the lands of Newark.[8] She was married, first, before 9 August 1507,

[1] *Reg. Mag. Sig.* [2] *Acta Parl. Scot.*, ii. 199. [3] *Ibid.*, 218, 313. [4] *Reg. Mag. Sig.*, 6 June 1491 and two undated charters, Nos. 2061 and 2062, in the same vol. [5] *Ibid.* [6] Douglas *Peerage*. [7] Confirmed 16 May 1494, *Reg. Mag. Sig.* [8] *Ibid.*

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to Alan Cathcart, who fell at Flodden, eldest son of John, second Lord Cathcart,[1] and secondly, to John Maxwell of Stanelie.[2]

III. ROBERT, third Lord Lyle. On 6 May 1495 he had a royal charter of the lands and barony of Lyle and others, on the resignation of his father; they were settled on himself and the heirs-male of his body, whom failing, on his brothers George, Nicholas, and John successively, John Stewart of Ardgowan, Peter Houstoun, James Galbraith, and the heirs-male of their respective bodies.[3] He died between 17 December 1499, when he had a letter of licence to go a pilgrimage, and 11 March 1501-2, when his lands were granted in tack to Matthew, Earl of Lennox.[4] He was contracted, 19 June 1493, to Elizabeth Douglas, second daughter of Archibald, fifth Earl of Angus.[5] Whether this marriage ever took place is doubtful, for on 18 September 1497 the King granted a charter to Robert Lyle, son and heir of Robert, Lord Lyle, and his wife Marion Lindsay, of the lands of the Schells of Kilbride and others.[6] The lady is said to have been a daughter of the house of Dunrod.[7] By her he had issue:—

1. JOHN, fourth Lord Lyle.
2. *Catherine*, married to Archibald Maclauchlan of that Ilk. Her nephew James, Master of Lyle, sold the castle of Duchal and other possessions to his cousin, Archibald Maclachlan, 18 March 1544-45.[8]

IV. JOHN, fourth Lord Lyle, was served heir to his father 16 October 1545, in certain lands in Perthshire, but must have come of age considerably before that period, though he was still a minor on 18 January 1511-12, when King James IV. granted his ward and marriage to James Beaton, Archbishop of Glasgow.[9] As he is frequently mentioned in conjunction with the young Earl of Moray, the natural son of King James IV., in the *Lord Treasurer's Accounts* at this time, he was probably born about the same date, 1499, and

[1] Crawfurd. [2] *Maxwells of Pollok*, i. 235, 241; *Reg. Mag. Sig.*, 21 March 1529-30. [3] *Reg. Mag. Sig.* [4] *Reg. Sec. Sig.*, i. Nos. 437, 782. [5] *Douglas Book*, iii. 140. [6] *Reg. Mag. Sig.* [7] Douglas. [8] Mar Peerage Case Minutes, 583. [9] *Reg. Sec. Sig.*, i. No. 2354.

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was sent as a page to the Scottish Court. As in the same accounts there is an entry of a payment to 'Lady Lile's dochter and the rokkaris,' it is probable that one of his sisters was also engaged in some capacity in the royal nursery.[1] He must have been of age in 1523, as he was, along with other lords, summoned to a convention in that year,[2] and he sat in Parliament the following year.[3] He witnessed a deed of James, Archbishop of St. Andrews, at the Abbey of Dunfermline 6 May 1531.[4] On 12 November 1539 he sold his lands of Schalis of Kilbride to Sir James Hamilton of Fymont,[5] and on 21 October following his lands of Kilmalcolm to Patrick Maxwell of Newark.[6] On 8 October 1545 he sold Lundy and other lands in Forfar to Sir John Campbell.[7] Many of his lands in Duchal were apprised by Archibald Beaton of Capeldra, who had a charter of them 31 July 1546.[8] His barony of Buchanan came into the hands of the Earl of Argyll,[9] and the Master of Boyd got the Auchentorlie lands,[10] while the Earl of Glencairn came into possession of Craigbate and many other lands in Renfrewshire.[11] History does not record the causes whereby Lord Lyle was obliged to part with so many of his possessions, but at his death, which must have taken place after 20 July 1551, few, if any, of his lands can have been in his possession. He married Grizel, daughter of David Beaton of Creich, after 9 May 1513, on which date she had a royal charter of the lands of Lundy resigned in her favour, 'in ejus virginitate,' by John, Lord Lyle.[12] By her he had issue:—

1. JAMES.
2. *Jean*, married to Sir Niel Montgomery of Lainshaw, and the family is supposed to have become extinct on the death of James Montgomery of the second line of Lainshaw about 1726, without issue. He alleged himself to be the representative of his ancestress Jean, assumed the title of Lord Lyle, and tendered his vote at the election of Representative Peers 1721 and 1722, but it was not received, as he did not prove that his

[1] *Treasurer's Accounts*, iv. 93. [2] *Ibid.*, v. 212. [3] *Acta Parl. Scot.*, ii. 288. [4] Confirmed 8 May, *Reg. Mag. Sig.* [5] Confirmed 6 December 1539, *ibid.* [6] *Ibid.*, 21 January 1539-40. [7] *Ibid.*, 12 October 1545. [8] *Ibid.* [9] *Ibid.*, 8 August 1546. [10] *Ibid.*, 14 October 1550. [11] *Ibid.*, 20 July 1551. [12] *Ibid.*

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branch was senior to that of Brigend.[1] His sister Jean succeeded to Lainshaw, and married David Laing, who thereupon took the name of Montgomerie. Their daughter and ultimate heiress Elizabeth married Captain Alexander Montgomerie Cunninghame, third son of Sir Walter Cunninghame Montgomerie, of Corsehill, Bart., who assumed the title of Lord Lyle, and tendered his vote at the election of Peers in 1784, but it also was refused.[2]

JAMES, styled Master of Lyle, is described as fiar of Lyle in a charter which he granted, with consent of his father, 29 September 1549, of some fishings at Cruicketshot on the Clyde to John, Lord Erskine.[3] He had a charter from his father, 7 November 1534, as 'filius carnalis et hæres apparens,' to himself and his wife of the lands of Easter Craigbait and others.[4] It was he who, as fiar, granted most of the charters by which the family lands were alienated, which suggests that his father must have been under some legal restraint. In the charter of Duchal to his cousin Archibald Betoun referred to above, it is stated that the lands are sold 'pro quidam certam summam pecunia numerate mihi . . . in mea permagna et urgente et cognita necessitate persoluta, et in usus meos totaliter conversa.' He had a royal charter of novodamus to himself and his sons of the principal messuage and manor of Lyle with other lands 29 August 1541.[5] He is last mentioned in a charter of 20 July 1551, when his father was still alive. He probably died *vitâ patris.* He married, previous to 7 November 1534, Margaret Cunningham, perhaps a daughter of Cuthbert, Earl of Glencairn, but as by her he had no issue, the direct male representation of the Lords Lyle came to an end in his person.

CREATION.—*Circâ* 1452, Lord Lyle.

ARMS (given by Sir David Lindsay).—Quarterly: 1st and

[1] Robertson's *Proceedings*, 86, 102, 109; the *Family of Montgomery*, Philadelphia, 1863, 115. [2] Robertson's *Proceedings*, 421. [3] Confirmed 12 (*sic*) September, *ibid.* [4] Corshill Charter-chest; the charter is printed in the Minutes of Evidence, Mar Peerage Case, 581, 582. [5] *Reg. Mag. Sig.*

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4th, gules, fretty or, for *Lyle*; 2nd and 3rd, azure, a bend between six cross crosslets fitchée or, for *Mar*.

Crest (given by Nisbet, quoting 'old books of blazons').—A cock or, crested and barbed gules.

Supporters.—Two cats proper.

Motto.—*An I may*.

[J. B. P.]

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MACDONELL, LORD MACDONELL AND AROS

DONALD, the second son of Reginald, the second son of John, Lord of the Isles (*see that title*, p. 39), was the progenitor of the family of Glengarry. The first possession of the family was North Morar, but they shortly afterwards possessed the lands of Glengarry, which formed part of the lordship of Lochaber, and in the first half of the sixteenth century they inherited the lands of Lochcarron and others, on the west coast of Ross-shire, through Margaret, daughter and one of the heiresses of Sir Alexander Macdonald of Lochalsh. He died in 1420, and was buried in Iona. Donald married, first, Laleve, daughter of MacIver, the head of a sept of that name, and had issue:—

1. JOHN, his successor.

He married, secondly, a daughter of Fraser of Lovat, and had issue:—

2. ALEXANDER, aftermentioned.
3. *Angus.*

JOHN is said to have married a daughter of Macleod of Lewis, but appears to have left no issue, and was succeeded by his brother—

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ALEXANDER, who died in 1460, and was buried in Iona. He married Mary, daughter of Hector Maclean of Duart, and had by her:—

1. JOHN, his successor.
2. *Angus Mor*, from whom the Macdonalds of Shian.
3. *John* (*secundus*) Odhar.

JOHN, died at Invergarry in 1501, and was buried at Killionan. He married a daughter of Donald Cameron of Lochiel, and had:—

1. ALEXANDER, his successor.
2. *Donald*.
3. *Angus*.

ALEXANDER or ALLASTYR MACEAN VIC ALLYSTER, of Morar and Glengarry, entered into a bond of manrent with Colin, Earl of Argyll, King's lieutenant in that part in which Glengarry lies, on 5 February 1519. He had a charter under the Great Seal, dated at Linlithgow 6 March 1538-39,[1] in favour of him and Margaret Ylis his wife in liferent, and Angus M'Alister, their eldest son and heir-apparent, in fee, of the Castle of Strome, half the lands of Lochalsh, Lochcarron, and Lochbroom, and others on the resignation of the said Margaret. He died in 1560, having married Margaret, daughter and co-heiress of Sir Alexander Macdonald of Lochalsh, and had issue:—

1. ANGUS, his successor.
2. *Allan* of Lundie, ancestor of that family.[2]
3. *Godfrey*.
4. *Ranald*.
5. *Roderick*, who was taken prisoner with thirty-three others by the Mackenzies of Kintail and Carbaransby, put to death in February 1581-82, and their bodies 'cassin furth and eitten by doiggis and swyne.'[3]

ANGUS MACALISTER, as son and heir-apparent of his late father, had a charter of confirmation under the Great Seal on 8 July 1574 of the lands of Glengarry, which had been apprised by John Grant of Freuchie, and was granted by

[1] *Reg. Mag. Sig.* [2] *Chiefs of Grant*, i. 219. [3] *P. C. Reg.*, iii. 505.

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him to said Angus by charter dated 18 November 1571.[1] He is said to have died in 1574, having married, first, Janet, daughter of Hector Maclean of Duart, with issue; secondly, Margaret, daughter of Roderick Macleod of Dunvegan, with issue; and thirdly, Mary, daughter of Kenneth Mackenzie of Kintail, who survived him and was married, secondly, to Alexander Chisholm of Comar.

Issue by first marriage:—

1. DONALD, his successor.
2. *John.*

Issue by second marriage:—

3. *Angus.*
4. *Margaret*, who married a Cuthbert of Castlehill.

Issue by third marriage:—

5. *Elizabeth*, who married John Roy Mackenzie of Gairloch.

DONALD M'ANGUS M'ALISTER of Glengarry and Morar had a charter under the Great Seal on 19 July 1574 of the lands of Glengarry and others.[2] He was served heir on 5 November 1584[3] to Margaret Ylis, his grandmother, in half of the lands of Achuilt and half of Torrurdane, and on 22 April 1629 to his great-great-grandfather, Celestine of the Isles, of Lochalsh, brother of the late John, Earl of Ross, Lord of the Isles.[4] He had a charter under the Great Seal, on his own resignation on 27 March 1627,[5] of the lands of Glengarry, incorporating it into a free barony. He lived to a great age, being said to be nearly one hundred[6] in 1641, and died 2 February 1645. On 17 November 1571 he was contracted by his father to marry, between that date and the Feast of St. John the Baptist called Midsummer, Helen, daughter of John Grant of Freuchie.[7] He appears to have refused to do so; nevertheless the lady resided with him in his Castle of Strome as his wife, and was evidently regarded as such, as a complaint is made to the Privy Council in 1602[8] that he lived in habitual and constant adultery with the Captain of Clanranald's daughter and had put away the Laird of Grant's daughter, his married wife.

[1] *Reg. Mag. Sig.* [2] *Ibid.* [3] *Retours, Ross*, 12. [4] *Retours Gen.*, 1496. [5] *Reg. Mag. Sig.* [6] *P. C. Reg.*, 2nd ser., vii. 178. [7] *Chiefs of Grant*, iii. 143. [8] Letterfearn MS.

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He married, first, Margaret, daughter of Allan Macdonald of Moydart, Captain of Clanranald, and had issue, and secondly, Katherine, daughter of Lachlan Mackintosh of that Ilk. His children were:—

1. *Alastair Dearg*, as eldest son and heir-apparent of his father, resigned the lands of Strome and others to Kenneth Mackenzie of Kintail on 17 March 1607,[1] and died before his father, having married Jean, daughter of Allan Cameron of Lochiel, and had:—
   (1) Angus, of whom afterwards.
   (2) *Donald*.[2]
2. *Donald Gorm*, from whom the Macdonalds of Scotus and Glengarry.
3. *John Mor*, from whom the Macdonalds of Ardnabie.
4. *John Og*, from whom the Macdonalds of Leek.
5. *Alastair Mor*, from whom the Macdonalds of Aberchalder and Culachie.
6. *Isabella*, who married Sir Rory Macleod of Dunvegan.
7. *Margaret*, who married Torquil Macleod of Lewis.
8. *Katherine*, who married Duncan Grant of Aonach.
9. *Janet*, who married Malcolm, son of Lachlan, sixteenth of Mackintosh.

Donald had also issue by Helen Grant *Angus M'Coneill Vic Angus*, who had letters of legitimation as 'bastardus filius naturalis' under the Privy Seal, dated at Holyrood 15 April 1584. He entered into a contract of marriage as 'eldest son and apparent heir of Donald M'Angus of Glengarry, dated at Inverness 24 April 1590, with Margaret, daughter of Lachlan Mackintosh of Dunnachtoun, whereby the parents undertook that they should marry when he reached the age of 15.[3] He was killed at Kyleakin in Skye by the Mackenzies before 17 March 1607,[4] when he is referred to as deceased and also as bastard.

Angus Macdonald of Glengarry was born about 1615, and was the son of Alastair Dearg Macdonald, younger of Glengarry, and Jean, daughter of Allan Cameron of Lochiel. He succeeded his grandfather, Donald of Glengarry, in 1645. His first public appearance was in 1641, when, refusing

[1] *Reg. Mag. Sig.* [2] Mackintosh Muniments, 503. [3] *Ibid.*, 44. [4] *Reg. Mag. Sig.*

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to find caution for the men of Glengarry for disturbing the public peace, he was committed to ward in Edinburgh Castle.[1] He joined the standard of the Marquess of Montrose at Killichumen, now Fort Augustus, in January 1645, and signed there with other heads of families the Bond of Association drawn up by Montrose.[2] At Inverlochy, a few days after, he fought at the head of his followers with conspicuous bravery. He adhered to Montrose throughout his campaign, and took part in all the subsequent engagements. Early in 1646, he received the Marquess, who had escaped to the Highlands, at Invergarry, and took measures with him for another rising, but without success. He finally succeeded in raising a regiment for the King's service, and in the beginning of 1647 crossed over to Ireland with the Marquess of Antrim, where he joined the army of Preston in opposing the Ormondists.[3] On their way to attack the Cavanaghs the Glengarry men were attacked by a superior force under Sir Thomas Esmond, and almost annihilated. Glengarry was taken prisoner and sent to Kilkenny, where he was detained until the Marquess of Antrim found means of releasing him. From Ireland he went 'over the sea to the King.'[4] When the King arrived in the Moray Firth in June 1650 Glengarry was in his train. He continued with him until defeat separated them at Worcester. After his return north Glengarry continued in arms, bidding defiance to the English garrison at Inverness, the chief conduct of the King's affairs within the Highland line being intrusted to him.[5] As leader of the royalists in the Highlands he was active in recruiting among the clans for the King's service. When the Earl of Glencairn, appointed to the command of the royal forces in Scotland in March 1653, arrived in the Highlands, Glengarry joined him at the head of a force estimated at between 1500 and 1600 men.[6] A commission of major-general in his favour was sent by Charles, dated at Chantilly 31 October 1653.[7] He remained with Glencairn and afterwards with Middleton, who superseded him, until the final defeat of the royalist army at Lochgarry on 19 July 1654. Glengarry continued

[1] *P. C. Rec.* [2] Napier's *Life of Montrose.* [3] Hill's *Macdonalds of Antrim.* [4] Macverich in *Book of Clanranald.* [5] Clarke MSS. [6] *Ibid.* [7] Glengarry Charter-chest.

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to hold out for some time in the face of much annoyance from the English garrison at Inverness. At length, in June 1655, he gave his bond to Oliver Cromwell that he and his followers would 'deport themselves peaceably and quietly under the present government.'[1]

On the King's restoration in 1660 Glengarry was rewarded for his loyalty and services by being created a Peer of Scotland, with the title of LORD MACDONELL AND AROS, the succession being limited to heirs-male of his own body. The patent is dated at Whitehall, 20 December 1660.[2] Glengarry was led to expect a more lofty dignity than this. The King during the period of his exile had granted several warrants under his hand and signet creating him Earl of Ross and bestowing upon him the lands and revenues of the earldom.[3]

In 1663 Lord Macdonell petitioned the King requesting that effect should be given to these royal warrants. No record of the answer to this petition, if any, has been preserved. The earldom of Ross had remained an appanage of the Crown since the forfeiture of 1476, and the title had been revived on two occasions in favour of members of the royal family. Glengarry claimed the earldom through Celestine of Lochalsh, son of Alexander, Earl of Ross, Margaret, the granddaughter of Celestine having married Alexander Macdonald of Glengarry. The claim on being investigated was no doubt found to be untenable.

One of the first acts of the Parliament of the Restoration was to appoint a commission of inquiry into the losses sustained by Lord Macdonell through the Argyll raids into his country in 1640 and 1645.[4] In 1660-1664 he received charters under the Great Seal confirming him in the family inheritance. In 1666, he received a charter of the Island of Muck from Robert, Bishop of the Isles.[5] In 1663 and 1673 respectively, he entered into bonds of manrent and friendship with the MacMartins of Letterfinlay and the Macphersons of Cluny.[6] In 1675-79 he espoused the cause of the Macleans with the Earl of Argyll in Mull with some success. In 1659 he had acquired the lands of Easter

[1] Lord Macdonald's Charter-chest. [2] Glengarry Charter-chest. [3] Clarke MSS.; Clarendon MSS. [4] *Acta Parl. Scot.* [5] Glengarry Charter-chest. [6] Cluny Charter-chest.

Drakies from James Cuthbert, which led to a prolonged quarrel with the town of Inverness. He died at Edinburgh 6 December 1680, and was buried at Holyrood.

There is a portrait of Lord Macdonell in the possession of John A. E. Cunninghame at Balgownie, Culross.

Lord Macdonell married, in 1646, Margaret, daughter of Sir Donald Macdonald, first Baronet of Sleat, without issue, and the Peerage in consequence became extinct.

Creation.—Lord Macdonell and Aros, 20 December 1660.

Arms.—No contemporary record of the arms of Lord Macdonell and Aros is extant, but in 1797 the following arms were recorded by Alexander Macdonell of Glengarry, whose ancestor had succeeded to the barony of Glengarry on the death of his cousin Lord Macdonell. Or, an eagle displayed gules surmounted of a galley sable, her sails furled and rigging proper, in the dexter chief point a dexter hand couped in fess of the second, and in the sinister a cross crosslet fitchée of the third.

Crest.—A raven proper.

Supporters.—Two bears, each having an arrow pierced through the body, all proper.

Mottoes.—{*Creagan an Fhithich.*
Per mare, per terras.}

[A. J. M.]
[F. J. G.]

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THE ANCIENT EARLS OF MAR

MAR, which gave its name to what is now claimed to be the oldest existing Scottish title, was one of the original great divisions, afterwards called earldoms, into which Scotland was divided, while its lord was one of the body referred to as the seven earls, who are said to have acted as advisers of the King. The district extended east and west from Braemar, or the Braes of Mar, to Aberdeen, and north and south from the Braes of Angus to the Don.[1] Like other such districts of Scotland it was at an early historical period under the rule of a Mormaor or High Steward. 'Donald, son of Emhin, son of Cainnech,' Mormaor or Great Steward of Mar, said to be of the race of Old Ivar and of the Clan Leod of Arran, was one of those Scottish chiefs who went to Ireland to assist King Brian Boruimha against the Danes, and fell at the battle of Clontarf in 1014.[2] Norse or Danish descent is thus ascribed to him, but we have no certain knowledge that the succeeding Mormaors of Mar were directly, or even

[1] *Scottish Kings*, map iv., ancient divisions of Scotland. [2] *Antiq. of Aberd. and Banff*, iv. p. liv, *note*; *Annals of Ulster*, at date; Mar Peerage Minutes of Evidence, 659, 702.

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lineally, descended from him. There is a long space of silence between him[1] and

I. RUADRI or ROTHERI, who appears on record as the first Earl of Mar, and who is also styled Mormaor, thus forming a link between the old Celtic system and the new feudal ideas of territorial dignities. He appears first as 'Rotheri Comes' or Earl, giving consent to the foundation charter of the Abbey of Scone, a writ usually said to be dated in 1114, but which must have been a few years later, though not later than 1124, the year in which King Alexander I., the founder, died.[2] He was also a witness to the charter by King David to the Abbey of Dunfermline dated probably about 1128.[3] In the eighth year of King David (1132) he is witness to a charter by Gartnait, Mormaor of Buchan.[4] The next Earl on record is

II. MORGUND, who first appears on record as a witness to a charter by King David I. to the monks of Dunfermline dated between 1147 and 1152,[5] but if the dates assigned to charters by him and his wife are accepted, he may have been Earl before or from 1141.[6] It is probable, however, that the later date is more correct. He is designed 'Mac Gyloclery,' or son of Gyloclery, in one writ of undoubted credit, and has been described as the son of Gillocher, Earl of Mar, but this last statement at present rests only on a doubtful document, the authenticity of which is much disputed, but according to which Morgund presented himself before King William the Lyon, at Hindhop Burnemuthe, in the King's new forest ('apud Hindhop Burnemuthe in mea nova foresta') on the tenth Kalend of June (23 May) 1171, claiming the earldom of Mar, in presence of the council and army of Scotland then assembled. The King thereupon, it is said, summoned an inquest, who found that Morgund was son and lawful heir of Gillocher, Earl of Mar, upon which the King granted and restored the earldom to

[1] Douglas, on the authority of Martin's *Collections*, inserts a Martacus, Earl of Mar, as flourishing in the reign of Malcolm Canmore (1068-1093), but the authority is fictitious. [2] *Early Scottish Charters*, by Lawrie, 28-30, 279-286; *Scottish Historical Review*, ii. 428-431. [3] *Early Scottish Charters*, 61. [4] *Antiq. of Aberd. and Banff*, iv. 548. [5] *Early Scottish Charters*, 181. [6] *Antiq. of Aberd. and Banff*, iv. 690, 691.

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Morgund. The latter then further petitioned for the earldom of Moray on the same grounds, that his father Gillocher was last vest therein. Another inquest found that he was the true and lawful heir of Moray, but because the King was heavily engaged in war with England, and the men of Moray could not be subjected to his will, he was unable to do justice to Morgund. But he promised that when he could terminate the war and subdue the rebels, he would recognise the rights of Morgund to the earldom of Moray.

This writ as it stands is certainly spurious in its form, but while its authenticity is rejected by all historians, they all more or less agree that it may contain some important items of fact. Mr. Skene thinks it contains the record of a real transaction by which the earldom was converted into a feudal holding, but the fact must be dressed in a garb of fancy, as Mr. Skene himself gives valid reasons for believing that the writ, as we have it, was forged, or at least compiled, about 1257, on behalf of the then Earl of Mar, whose possession was challenged.[1] The statement, however, that Morgund was the son of a Gillocher may be correct, though the latter may not have been Earl of Mar.[2] That Morgund bore that title cannot be doubted, and, so far as extant record goes, there is no evidence that his right to the earldom was questioned during his life or that it was restored as stated. Besides appearing in the reign of David I., as stated, he was present at the granting of an important charter to the monks of Dunfermline by King Malcolm IV., in or after 1154, and is then styled Morgund Comes.[3] He was a considerable benefactor to the Priory of St. Andrews, and between 1165 and 1171 made a special grant to the canons there of the church of Tarland in Cromar, for the benefit of himself and his wife, that wherever in Scotland they might die, they were to be

[1] See *Celtic Scotland*, iii. 69, 441-447; *The Earldom of Mar, etc.*, by Lord Crawford, i. 169, 171, 172; *Antiq. of Aberd. and Banff*, iv. 691, *note*; *Acta Parl. Scot.*, i. 19, 20, *note*, and an able paper by the late Mr. Burnett on 'The Early Earls of Mar,' *Genealogist*, new ser., iv. 177, etc., for opinions on the subject. [2] Lord Crawford expresses his belief that evidence will some day emerge to show that 'Morgund was really the son of Gillocherus or Gillocher, possibly Earl of Mar.' [3] *Reg. de Dunfermlyn*, 22. This charter is, in *Acta Parl. Scot.*, i. 363, dated 1154, but may be between that date and 1159.

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buried at St. Andrews.[1] Later, before 1178, he and his wife further granted the adjoining church of Migvie to St. Andrews. A learned historian suggests that the separate deeds granted on this occasion by the Earl and his wife indicate that he held the earldom in her right. There are difficulties in accepting this view, the chief being that at a later date his legitimacy was challenged, an argument which would have been futile had he derived the dignity through his wife. Earl Morgund died probably in the year 1182, certainly before 30 March 1183, when he is referred to as dead in a bull by Pope Lucius III.[2] He left issue:—

1. *Malcolm*, who as son of Morgund, Earl of Mar, in a charter dated after 1207, confirms his father's grant of the church of Tarland to the monks. He also appears at an earlier date, between 1182 and 1199, as a witness to the foundation of the hospital of St. Peter by Matthew, Bishop of Aberdeen.[3]
2. *James*, who is a witness with his brother Malcolm to the foundation charter cited above. There is a curious contract, dated in 1222, between the Priory of St. Andrews and one of their thralls, Gillemor Scolgo of Tarland, permitting the latter to remain with Sir J., son of the deceased M., Earl of Mar, during the pleasure of the convent.[4] On 5 May 1226, James, son of Morgund, made a contract with Andrew, Bishop of Moray, which shows that he had previously obtained right to the lands of Cuneneges, now Congash, and others in the barony of Abernethy, in Strathspey.[5] He witnessed a charter by King Alexander II. to Ness (Ramsay) his physician, of the lands of Banff, in the lordship of Alyth, dated at Aberdeen 9 October 1232,[6] which is apparently his last appearance on record.
3. DUNCAN, who became Earl of Mar.
4. *Donald*, who as Donald, son of the Earl of Mar, appears

[1] *Reg. Prior. S. Andree*, 246. [2] *Ibid.*, 59; Morgund witnesses a charter by Malcolm, Earl of Atholl, along with Patrick, Earl of Dunbar, who only succeeded in 1182; *Acta Parl. Scot.*, i. 387, where the writ is misdated. [3] *Antiq. of Aberd. and Banff*, ii. 17; *Reg. Epis. Aberdonensis*, i. 11. [4] *Antiq. of Aberd. and Banff*, ii. 18. [5] *Registrum Moraviense*, 76. [6] *Antiq. of Aberd. and Banff*, iv. 695.

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as witness to a grant in 1228, by King Alexander II., permitting the monks of St. Andrews to buy grain. He also appears in two other writs up to about 1240, or not later than 1243, as Sir Donald of Mar, Knight.[1] It is probably he who as Sir D., son of the late Earl of Mar, is named along with his brother James in the writ of 1222 cited above.

5. *David*, son of the Earl, engaged in a dispute with Duncan, son of Morgund, regarding the church of Leochel, which was settled by King Alexander II. at an uncertain date.[2] This is the only appearance of David on record, and Donald may be referred to.
6. *John*, son of the Earl of Mar, is a witness to charter by Malcolm, Earl of Fife, dated between 1214 and 1226, to Archibald Douglas, son of William Douglas, of the lands of Livingston and Herdmanston.[3]

III. GILCHRIST, Earl of Mar, is the next on record, and may have been the son of Morgund, as he appears very shortly after the latter's death, but this is not certain, and Gilchrist's place in the line of Earls is somewhat mysterious. Mr. Skene asserts that Earl Morgund was about 1169 or 1170 superseded in his possession by Gilchrist, who in 1171 made way for him again. A reason for this is found in the alleged fact that Morgund was believed to be illegitimate, though he was probably not considered to be so by the Celtic law, and that King William had therefore taken the opportunity to break the succession of the old Celtic Earls by recognising Gilchrist the next lawful heir as Earl, but that Morgund agreed to accept the earldom from the King as a feudal holding. Mr. Skene's argument, however, in this case is built entirely on mistaken premisses. He himself shows that one writ on which he unconsciously founds was not in existence until about 1257, while it was not till then, or at least not till long after Morgund's death, that his legitimacy was impugned. Further, as Mr. Burnett

[1] *Reg. Prior. S. Andree*, 237, 250, 253. [2] *Acta Parl. Scot.*, i. 405. [3] *Reg. Honoris de Morton*, i. p. xxxiii.; Mr. Burnett (*Genealogist*, new ser., iv. 182) assigns this son John to Earl Duncan, but he has inadvertently misdated the writ. John appears nowhere else, and it is possible James may be the person intended, though Earl Gilchrist appears also to have had a son John.

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very truly points out, the assumption that Gilchrist was Earl in 1169 or 1170, though apparently supported by charter evidence, is really baseless, as the charter founded on is a forgery.[1] There is thus no valid evidence that Gilchrist was Earl before 1182, when his predecessor died, and all the charters in which he appears are after that date. He was a witness to the foundation charter of the hospital of St. Peter, between 1182 and 1199.[2] He granted to the Culdees of Monymusk the churches of Alford, Leochel, Ruthven, and Invernochty, to support the Priory of Monymusk of which he was the founder.[3] He claimed a right to the patronage of the kirk of Aberchirder (now known as Marnoch), but his claim was disputed by King William and Brice (Douglas), Bishop of Moray. An amicable agreement was made, and they joined in granting their respective rights to the abbey and monks of Arbroath, by three separate charters, apparently all on the same day, as the witnesses are nearly identical, the King being then at Kintore, on 18 September in some year between 1203 and 1207.[4] It is not certain when Earl Gilchrist died, and so far as is recorded he disappears as mysteriously as he appears. He may have survived until about 1228, when his successor is styled Earl of Mar, but if so, there is no mention of him after 1211 at the latest. He is named in the Cupar Breviary as witness to a grant by King William, dated between 1204 and 1211, the latest date at which he is found.[5]

His only recorded wife was apparently Orabile, daughter of Nes, son of William, who styles herself Countess of Mar in a writ of uncertain date, but some time before 20 August

[1] The writ in question (*Reg. Epis. Aberdonensis*, i. 12, 13) is apparently a grant by King William of the lands of Brass, dated in the King's fifth year, or 1169. But as Mr. Burnett (*Genealogist*, *ut cit.*) states, Matthew, Bishop of Aberdeen, named as grantee, only became Bishop in 1172. Further, lest that might be an oversight, it may be added that Andrew, Bishop of Caithness, who died in 1184, is placed as a witness beside Richard, Bishop of Moray, who was made such in 1187, and Patrick, Earl of Dunbar, another witness, succeeded in 1182, while the writ is assigned to 1170. [2] *Reg. Epis. Aberdonensis*, i. 11. [3] *Reg. Prior. S. Andree*, 370-376. [4] *Antiq. of Aberdeen and Banff*, ii. 190-192. Brice Douglas became Bishop of Moray in 1203, and Walter the King's Chaplain was elected Bishop of Glasgow in 1207. [5] *Chartulary of Cupar*, Grampian Club, i. 341, where Gilchrist's name is incorrectly given, the original G. of the charter being wrongly extended to G[artney], Earl of Mar, who did not live until a century later. See also Mr. Burnett's note (*Genealogist*, new ser., iv. 181).

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1199, when Matthew, Bishop of Aberdeen, one of the witnesses, died.[1] She was also, before 1155, apparently the wife of Robert de Quincy, and certainly mother of Saer de Quincy, created Earl of Winchester, who refers to her as his mother in a charter dated before 1200, his father being then still alive and a witness to the writ. There is much diversity of opinion as to Orabile's exact position, and as to which Earl of Mar she married, owing to the fact that her husbands were contemporaries.[2] Mr. Skene adjudges her to be the wife of Earl Gilchrist. Mr. Burnett in one opinion contradicts Mr. Skene, and asserts she was the second wife of Earl Morgund. On second thoughts he thinks she may have been the divorced wife of Gilchrist. Perhaps a solution may be found in the suggestion that she was the wife of De Quincy first, and was divorced from him, after which she became the wife of 'Adam, son of Duncan,' a Fifeshire noble, who was her husband about 1172-80, and between that date and 1199 she married Earl Gilchrist.[3] She died before June 1203.[4]

Earl Gilchrist is said to have had issue a daughter, married to Malcolm of Lundin, the Hostiarius or Doorward, a view corroborated by a charter of Thomas, the Doorward, son of Malcolm, confirming a grant by his 'grandfather and mother' to the Culdees of Monymusk,[5] the priory which Earl Gilchrist founded. But the evidence on record is not wholly conclusive, though it is certain the Doorwards claimed the earldom at Gilchrist's death or later. He had also sons, who, however, did not succeed him in the earldom. In two charters (1204-1211) noted in the Breviary of writs to the Abbey of Cupar, Earl G[ilchrist], misread 'Gartney,' and his son *Malcolm* are named, one of these writs being by Thomas, son of Malcolm of Lundin the King's Doorward. Again, in some old notes of charters of the Earls of Mar, his own charter of Leochel to the Priory of Mony-

[1] *Reg. Prior. S. Andree*, 287; *Chronica de Mailros*, 104. [2] Cf. *Reg. Prior. S. Andree*, 254, 255, 287, 290, 291, Robert de Quincy died in the year 1200 (Fordun à Goodall, i. 515). [3] See *Reg. Prior. S. Andree*, 287; *Celtic Scotland*, iii. 68; *Genealogist*, new ser., iv. 179, *note*. [4] She is referred to in a bull by Innocent III., 30 June 1203, as the late Orabile, mother of Seer de Quinci, and the donor of eight acres of land in her territory of Gask to the monks of Inchaffray, evidently granted between 1200 and 1203 (*Charters of Inchaffray Abbey*, Scot. Hist. Society, 9 *n.*, 20). [5] *Antiq. of Aberd. and Banff*, iv. 693, 694; *Genealogist*, *ut cit.*, 181.

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musk is said to be witnessed by *Malcolm* and *John* his sons, and by his two brothers, unnamed.[1]

IV. DUNCAN, Earl of Mar, who is next on record, distinctly describes himself as son of Earl Morgund and Countess Agnes, and also as heir of Morgund. He is first named in a charter (after 1207) by his brother Malcolm, to which James also was a witness, and Duncan is named as if he were the youngest of the three.[2] It is not clear when he succeeded to the title, or whether he did so immediately after Gilchrist's death, as the earliest writs granted by him as Earl are undated. He was still 'Duncan, son of Morgund,' on 15 May 1222, when he was witness to a charter by King Alexander II. granting the lands of Dunlappie to Laurence, son of Orm, dated at Scone.[3] It is also a question how he came to be Earl at all. He is styled 'Earl Duncan, son of Morgunt,' definitely for the first time in a royal charter of 29 August 1228,[4] though his brother James, who was apparently older, survived until 1232. One solution of the mystery may be that Duncan was the only or oldest son of Earl Morgund by the Countess Agnes, and that Morgund's other sons were by another wife or illegitimate, though this theory, suggested by Dr. Joseph Robertson's view that Countess Agnes was the true heir to the earldom, is scarcely compatible with the fact that apparently soon after his succession, and certainly at a later date, Duncan's legitimacy, and that of Morgund, was called in question. The attack on Duncan's rights was made by Thomas of Lundin, the Doorward, who died in 1231, but perhaps he did not impugn the Earl's birth, as the question between them was arranged and an agreement made betwixt them before the Doorward's death. But while this fact is on record, all else is wrapped in mystery, and the grounds of the Doorward's claim and the terms of the settlement with

[1] *Reg. of Cupar Priory*, i. 341; *Antiq. of Aberd. and Banff*, iv. 695; *Hist. MSS. Report*, Mar and Kellie Papers, 5. These authorities, however, are not to be implicitly relied on. [2] *Antiq. of Aberd. and Banff*, ii. 17. In the same work, iv. 694, he is said to witness a charter by Walter, the son of Alan, 1171-77, but the charter is not by the High Steward as implied, but by Walter Ruthven, son of Alan Ruthven, dating between 1200 and 1223. [3] Advocates' Library MS., 35.4. 12, No. 3 of Douglas writs. [4] *Reg. Prior. S. Andree*, 235. He may, however, have been Earl sometime before that date.

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him are unknown.[1] Perhaps it was then that the three hundred pounds of land alleged at a later date to be lacking to the earldom of Mar passed into other hands, or, as has been said, 'We may be allowed to conjecture that it was under that settlement that Thomas Durward acquired his vast domains in Mar stretching from Invercanny on the Dee to Alford on the Don, from Coull on the west to Skene on the east.'[2]

Earl Duncan, like his predecessors, was generous to the church, especially to the Culdees of Monymusk, to whom he granted the church of Kindrocht or Braemar, and also the church of Leochel for the souls of his father Morgund and his mother Agnes.[3] Sometime between 1239 and 1241 he transferred the church of Logy Mar, which Earl Gilchrist had granted to Monymusk, to the cathedral church at Aberdeen, desiring that his body should be buried there.[4] In 1242 he made an agreement with the canons of St. Andrews as to the church lands of Tarland and Migvie, and the second tithes of the earldom granted to them by Earl Morgund, whose heir he asserted he was.[5] He died between that date and 7 February 1243-44, when his son William is named as Earl of Mar. No record of Earl Duncan's wife has been found, but he had a son and heir,

V. William, Earl of Mar, who succeeded his father in the earldom sometime before 7 February 1243-44, when he witnesses a royal charter as Earl of Mar.[6] The first notice of him on record is in the agreement of 1242, between his father and the monks of St. Andrews, where he appears as a witness.[7] He was one of the sureties of the treaty of Newcastle in September 1244.[8] After the death of King Alexander II. he took a prominent part in the policy

[1] The fact of the agreement and its date rests upon two entries in the lists of documents found in Edinburgh Castle in 1291, and said to be delivered to Baliol in 1292, the one entry recording a roll dealing *inter alia* with the affair touching the Earl of Mar and Thomas the Usher, and the other entry referring to a sealed box in which is the 'Composition formerly made between the Earl of Mar and Thomas the Doorward' (*Acta Parl. Scot.*, i. 112, 116). [2] *Antiq. of Aberd. and Banff*, iv. 693; cf. 151. [3] *Reg. Prior. S. Andree*, 362, 367. [4] *Reg. Epis. Aberdonensis*, i. 16. [5] *Reg. Prior. S. Andree*, 332, no day or month is stated. [6] *Reg. Epis. Glasguensis*, i. 151. [7] *Reg. Prior. S. Andree*, 332. He may be the 'William of Mar' who appears as a witness to a charter to the monks of Kelso in 1234, but this is not certain. [8] *Cal. Doc. Scot.*

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of the new reign. He became Great Chamberlain of Scotland in 1252 and continued such till September 1255, when he and his colleagues were displaced by others proposed by King Henry III., the young king's father-in-law, of whom Alan Doorward (the son of Thomas) was one.

It was about this time that Alan Doorward made another attempt to obtain the earldom of Mar. His first attack, previous to December 1254, was somewhat unsuccessful. The spurious document of 1171 (page 568) was most probably brought forward at this time on behalf of the Earl of Mar. It is believed by Mr. Skene to have been the work of Mr. Richard Veyremunt, otherwise Veremundus, a canon of St. Andrews, from whose now lost writings Boece borrowed the greater part of his fabulous history.[1] He appears to have been a partisan of the Earl of Mar, to two of whose charters he is a witness. But it has escaped attention that Alan Durward also called forgery to his aid, being apparently the first to use it. His claim was that William of Mar detained the earldom of Mar, which Alan declared belonged to himself, as Morgund and Duncan, whom William succeeded, were not born in lawful marriage. This statement is contained in Papal letters which he is said to have craved and exhibited, directed to the Bishop of Brechin and Dean of Dunkeld, commanding them to examine into the matter.[2] The letters are dated 13 December 1254, in the first year of Pope Alexander IV., but at a later date, on 28 March 1257, that Pontiff, at the request of Earl William, declared that a transcript of the letters he had seen was false, and ordered the production of the original before the Abbot of Jedburgh and others commissioned to punish the forger.[3] Some months later, on 4 October 1257, the same Pope issued similar letters, apparently genuine this time, detailing the whole case, the statement made by Durward impugning Earl William's right, his craving the letters to the Bishop of Brechin who referred the question to the Apostolic See, before which court Earl William's procurator produced the Papal letters declaring the falsity of the first letters if they agreed with the transcript. The Papal Commissioner having heard all the arguments on

[1] *Celtic Scotland*, iii. 441. [2] *Reg. Prior. S. Andree*, 312, 313. [3] Theiner's *Monumenta Vetera, etc.*, 75.

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both sides, on Durward's procurator declaring that he had not the true original letters with him, though he made oath they were in Scotland, quashed the whole proceedings, while granting leave to the parties to crave Papal letters for their right in the matter. The Pope confirmed his commissioner's judgment, and directed the Bishop of Aberdeen to examine witnesses as to the birth of Earl Morgund,[1] after which no more is on record regarding the case. Whatever further proceedings were taken, Earl William remained in possession, which supports the suggestion that the alleged illegitimacy was perhaps only a product of 'the difference between the Celtic usage and the Canon law which was superseding it.'[2] But, apparently to prevent any prejudice to others, the Earl, on 23 January 1267-68, while confirming to the canons of St. Andrews certain grants by his grandfather Morgund and grandmother Agnes, added a clause that if any grant had been unlawfully made or confirmed by these persons, he and his heirs would supply what can be supplied so far as possible.[3]

The Earl of Mar was restored to a place in the government in 1257, and took a prominent part in public affairs. He again, about 1262, became Grand Chamberlain, and held office till 1267. In that or the following year a great dispute arose between him and the Bishop of Moray because of many injuries done to the church of Moray by the Earl, and the latter was excommunicated by the Papal legate.[4] It was perhaps on account of this quarrel with the Church that Bower calls him 'in malis actibus ingeniosus satis.' In 1264 he was one of two commanders sent to compel the Islesmen to submit to King Alexander's rule, and in 1270 he was one of an embassy to England to negotiate for the earldom of Huntingdon.[5] He died before 25 July 1281, when his son Donald was Earl, but probably not long before, as he seems to have contributed to the army in Wales.[6]

This Earl of Mar married, first, a daughter of William Comyn, Earl of Buchan. Her name is said to be Elizabeth, and she died in 1267.[7] He married, secondly, Muriel, daughter of Malise, Earl of Strathearn, granddaughter and coheiress

[1] Theiner's *Monumenta Vetera, etc.*, 78. [2] Mr. Burnett in *Genealogist*, new ser., iv. 182. [3] *Reg. Prior. S. Andree*, 311. [4] Fordun à Goodall, ii. 109. [5] *Ibid.*, 102, 113. [6] *Cal. Doc. Scot.*, ii. No. 201. [7] Fordun à Goodall, ii. 109.

of Robert de Muscamp, who survived him, and died, between 16 May and 12 November 1291, without issue, as her sister Mary, wife of Nicholas Graham, was her heir.[1] By his first wife the Earl had

DONALD, who became Earl of Mar.

VI. DONALD, Earl of Mar, is first named on record as receiving knighthood from the hands of King Alexander III. at Scone, on 29 September 1270.[2] His next appearance is as Earl of Mar on 25 July 1281, when he was one of those magnates who agreed to the marriage of the Princess Margaret with Eric of Norway.[3] He was also one of those who, on 5 February 1283-84, acknowledged their daughter, the Maid of Norway, to be the heir to the Scottish throne, and he was present at the Convention of Brigham 17 March 1289-90.[4] During the discussion of the rival claims to the Scottish throne, the Earl was one of the arbiters chosen on behalf of Bruce. He was one of that noble's most ardent supporters, as the Competitor's grandson, the young Earl of Carrick, had married his daughter. In Bruce's interest, too, the Earl made a special appeal to Edward I. against the Guardians of Scotland, the Bishop of St. Andrews and Sir John Comyn, charging them with destroying and burning the lands and grain of the men of Moray, who were free tenants of the Scottish Crown. In this appeal the Earl describes himself as one of the seven Earls of Scotland, and claims kindred with the injured men of Moray.[5] He also asserted that three hundred pounds of land had been taken from his earldom, and desired restitution.[6] The Earl swore fealty to Edward as overlord on 13 June 1291, and seems to have attended him in his journey into Scotland and return to Berwick-on-Tweed.[7] He continued to adhere to Bruce, and was a witness to the latter's agreement with Florence, Count of Holland, on 14 June 1292.[8] He seems to have administered the royal revenues for the territory of Aboyne, as he was directed to make payments therefrom, and he paid the salary of the Constable of Aboyne

[1] *Cal. Doc. Scot.*, ii. Nos. 477, 544, 549. [2] Fordun à Goodall, ii. 113. [3] *Acta Parl. Scot.*, i. 423. [4] *Ibid.*, 424, 441. [5] *Antiq. of Aberd. and Banff*, iv. 699, 709. [6] *Ibid.*, 151. [7] *Ibid.*, 701 *n.* [8] Stevenson's *Hist. Documents*, i. 321.

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Castle.[1] In 1296 he joined the Earl of Buchan and others in their revolt against Edward, and was taken prisoner at Dunbar. He did homage or submitted to Edward at Montrose on 10 July 1296, when John Baliol surrendered his kingdom, and Edward paid a visit on 1 August to the Earl at Kildrummy.[2] He promised on 23 June 1297 to serve Edward against France, and received permission to go to Scotland, from which country he wrote to Edward on or about 25 July 1297, but he appears to have died shortly afterwards.[3] He married Helen or Elen, daughter of Llewellyn, Prince of North Wales, and widow of the Malcolm, Earl of Fife, who died in 1266. She was alive and receiving payments of her dowry from her first husband in February 1294-95.[4] They had issue:—

1. GARTNET or GRATNEY, who succeeded.
2. *Duncan*, who swore fealty with his father on 28 August 1296, for lands in Perthshire.[5]
3. *Alexander*, who was imprisoned in the Tower of London by order of King Edward I. on 12 December 1297, along with Edward Baliol, the son of King John Baliol.[6] No further notice of him has been found.
4. *Isabel*, called in one place Matilda,[7] married about 1295 to Robert Bruce, Earl of Carrick, afterwards King. She was the mother of Marjorie Bruce, who married Walter the High Stewart.
5. *Marjory*, married to John of Strathbogie, Earl of Atholl, and had issue. (*See title* Atholl, i. 427, 428.) Kenneth, Earl of Sutherland, is said to have married a Mary, daughter of Donald, Earl of Mar. She may have been identical with this Marjorie, but no evidence has been discovered to elucidate the point.

VII. GARTNET or GRATNEY, Earl of Mar, is first referred to as Garthnet, son of the Earl of Mar, in a letter from King Edward of date 11 June 1297, and was then in the North of Scotland. He was a strong partisan of King Edward at that time, and in conjunction with the then

[1] Stevenson's *Hist. Documents*, 246, 253, 262; *Rotuli Scotiæ*, i. 12, 17. [2] Stevenson, ii. 28, 30. [3] *Ibid.*, 185, 213. [4] *Ibid.*, i. 410, 414; Fordun à Goodall, ii. 58, 104. [5] *Cal. Doc. Scot.*, ii. 200. [6] *Ibid.*, No. 964, 965. [7] *Ibid.*, No. 850.

Bishop of Aberdeen he rendered good service in that neighbourhood, for which he had the thanks of the King, who urged them to send men to the assistance of the Castellan of Inverness, who was besieged by patriotic Scots. Gratney and his friends replied some weeks later, that with the aid of men sent by the Countess of Ross, they had checked the rising, one of the leaders of which was Andrew, son of Sir Andrew Murray.[1] It was probably soon after this that Gratney succeeded his father, but he is nowhere named as Earl of Mar during his lifetime, although that he was so is proved by writs written after his death, the date of which is uncertain. It must have been before 1305, as the Earl of Carrick, afterwards King Robert I., was then the custodian of the castle of Kildrummy, probably as the guardian of the Earl's heir.[2] He married Christian Bruce, sister of King Robert, being thus united to the latter by a double tie. She survived him, and was married, secondly, to Sir Christopher Seton, son of Sir John Seton of Seton in Yorkshire, who was executed in 1306. Her third husband was Sir Andrew Moray of Bothwell, who died in 1338, and she survived till 1357.[3]

By his wife the Earl had issue:—

1. DONALD, who succeeded.
2. *Ellen* or *Elyne*, who has been variously described as Earl Gratney's sister and as his daughter, but the balance of evidence is in favour of the latter view. She was married about 1320, or between that and 1323, to John, afterwards Sir John Menteith, Lord of Arran, Skipnish, Knapdale, and Strathgartney. The date is approximately fixed by a charter by King Robert I. granting to her as his niece and to John Menteith her husband, the lands of Strathgartney in free marriage, dated about 1323.[4] These lands had belonged to Sir John Logie, and were taken away from him by forfeiture in 1320. Ellen of Mar's marriage, therefore, probably took place between these dates. Her husband was not, as has been stated, to the causing of much confusion and perplexity, the Sir

[1] *Antiq. of Aberd. and Banff*, iv. 706-708. [2] *Acta Parl. Scot.*, i. 122. [3] Fordun à Goodall, ii. 360; *Exch. Rolls*, i. p. cxxxiv. [4] *Acta Parl. Scot.*, i. 524; Robertson's *Index*, 23, No. 6[1].

John Menteith who captured Sir William Wallace, but his son of the same name, who succeeded his father about 1323, and died about 1344. Ellen of Mar was alive in 1342, and may have survived her husband. In 1628, Sir George Johnston of Caskieben claimed connection with the Earldom through Sir James Garioch and his spouse Helen of Mar. It is possible, therefore, that she married again. This lady's history has been the subject of much controversy, but her marriage with Sir John Menteith, and the fact of her being King Robert's niece, are clearly stated in a charter of 5 April 1359 by King David II. in favour of her son.[1] She had issue a son, *Sir John* Menteith, Lord of Arran, etc., who married a lady named Catharine (surname not discovered), but died apparently without issue. She also had a daughter *Christian*, married, first, to Sir Edward Keith of Synton, and secondly, some time after his death in 1350, to Sir Robert Erskine of that Ilk,[2] with issue.[3] The latter marriage is proved by more than one writ, the most important being a charter quoted by Sir Robert Douglas, though not now known to exist, by which Sir John Menteith, Lord of Arran, granted to his *daughter* Christian Menteith and Sir Edward Keith her husband, the lands of Pirchock and others.[4] The other writ is a charter by Thomas, Earl of Mar, nephew of Ellen, where he styles Christian Keith wife of Sir Robert Erskine his cousin.[5] Sir Edward and Christian Keith are said to have had a daughter *Janet*,[6] married, first, to Sir David Barclay of Brechin, the second, not the first of that name, by

[1] *Acta Parl. Scot.*, i. 524. [2] The marriages of Helen of Mar and of her daughter Christian at one time were proved only by a pedigree drawn up about 1709 by George Erskine, bailie of the regality of Alloa, and the marriage of Christian Menteith to Sir Edward Keith still rests chiefly on that evidence, but as shown in the text, there is much proof in corroboration. [3] It is usually stated that there was no issue of this marriage, but a Papal Dispensation of 2 March 1355, shows that they married about 1352, and had children (*Reg. Papal Petitions*, i. 286; *Papal Letters*, iii. 564). This will be further treated of later on, under Erskine, Earl of Mar. [4] Douglas *Peerage*, ed. 1764, 466. [5] *Acta Parl. Scot.*, i. 324, 12 November 1358. [6] This is the least supported part of the pedigree, as Janet Keith's parentage is accepted rather than definitely proved, except that she afterwards had the lands of Pirchock.

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whom she had one daughter *Margaret*, married to Walter Stewart, afterwards Earl of Atholl and Lord of Brechin.[1] Janet Keith or Barclay was married, secondly, before or about 13 April 1370,[2] to Sir Thomas Erskine, younger of Erskine, son of the Sir Robert Erskine who was the second husband of her mother Christian Menteith or Keith. An instrument in the Panmure Charter-chest, dated 6 June 1437,[3] testifies clearly that Janet Keith or Barclay, who has been divided into two distinct persons, was one and the same, widow of Sir David Barclay, and wife of Sir Thomas Erskine, whom she survived. Sir Thomas and she had issue, from whom descended the Erskines, Earls of Mar.

It has been stated, or rather assumed, that Ellen of Mar had a younger sister, through whom it is said the family of Lyle, afterwards Lords Lyle, claimed a share of the earldom of Mar. It would appear from a writ of 1444 that Sir Robert Lyle did hold lands in Strathdee and Braemar,[4] but there is evidence that what the Lyles really claimed was part of the Garioch,[5] not strictly a part of the earldom. There is no proof of another co-heiress, and it is not impossible that the Lyles' claim to the Garioch or other lands there arose from a more remote connection with Sir John Menteith, the father-in-law of Ellen of Mar. This is suggested by a note of a missing charter by King David II. granting to 'John Iles' 'de Ile,' or de Lyle, the reversion of the barony of Lundie, co. Forfar, after the decease of Jean, Countess of Strathearn.[6] Jean, Countess of Strathearn was a daughter of the first Sir John Menteith, and Lundie was one of the possessions of the Durwards who held, as already stated (p. 574 *supra*), considerable territory in Mar, claimed through an heiress.

VIII. DONALD, the next Earl, was very young at his father's death, but his age is uncertain. He is described

[1] Vol. i. 438. [2] *Reg. Mag. Sig.*, fol. ed. 50, No. 150. [3] *Reg. de Panmure*, ii. 230; Evidence Mar Restitution Bill, 92. [4] *Antiq. of Aberd. and Banff*, iv. 194. [5] *Reg. de Passelet*, 153. [6] Robertson's *Index*, 51, No. 51; he is called 'de Ile' in another MS. inventory of charters (about 1579) in Gen. Reg. Ho.

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as an infant, and as of tender age in orders by King Edward I. in 1306, directing him to be kept in Bristol Castle, with liberty to walk in the garden and be under a trustworthy man, so that he should in no wise escape, but not to be fettered, as he is of such tender age. Another order is directed to the Bishop of Bristol, who is to guard the youth and provide him with a master and companion, but this was changed, and the bishop was ordered to receive the youth into his own household.[1] He remained a prisoner until after Bannockburn, and appears to have reconciled himself to life in England, as when, about Michaelmas 1314, he was set free with his mother and other relatives of Bruce to go to Scotland, he turned back at Newcastle, preferring to remain in England. In 1319, however, he had a safe-conduct from King Edward II. to go to Scotland from July until Christmas.[2] It is possible he then received possession of his earldom, but he returned to England, and appears to have fought for Edward II. against the rebel barons at Boroughbridge in the early part of 1322 and also on the English side against the Scots at the battle of Biland in October same year.[3] In 1326 he was keeper of the castle of Bristol, but came to Scotland again in the beginning of 1327, and commanded one of the three divisions of the Scottish army which invaded England in that year. His aim was to assist in restoring King Edward II., for whom he had an affection, to the throne.[4] In 1327-28 and 1328-29 he had charters from King Robert Bruce of the thanage of Clova in Forfar, and the lands of Salklyn (Saline) in Fife, and in these writs he is designed the King's nephew.[5] He was still in Scotland at the time of his uncle's death, and on 2 August 1332 he was elected Regent of Scotland in succession to Thomas Randolph, Earl of Moray. His sympathies were with Edward Baliol, whom he had invited to Scotland, and though the Lanercost chronicler states that he, on receiving the regency, adhered to the young King David, the Earl's opinions may have contributed to the fatal defeat of 12 August 1332, at Dupplin, when he, with many others, was slain.[6]

[1] *Antiq. of Aberd. and Banff*, iv. 709. [2] *Ibid.*, 710. [3] *Ibid.*, *note.*
[4] *Chronicon de Lanercost*, 259. [5] *Antiq. of Aberd. and Banff*, iv. 711, 712.
[6] Fordun à Goodall, ii. 304, 305.

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Earl Donald married a lady named Isabel Stewart,[1] who has been asserted to be a daughter of Sir Alexander Stewart of Bonkyl, but nothing has been found to support this statement. She was married, secondly, before 15 September 1334, to Geoffrey Moubray, whom she divorced sometime before Easter 1336; and thirdly, about 1339, to William Carsewell, by whom apparently she had issue, and who survived her. She died between 15 May 1347 and 15 January 1347-48.[2] It is possible she may have had another husband named Baliol, as a Thomas Baliol in 1368, with consent of his 'brother' Thomas, Earl of Mar, resigned part of Cavers in the hands of the Earl of Douglas. He is also styled the Earl of Mar's brother in two other charters dated in 1364 and 1365.[3] Earl Donald and his wife had issue, so far as known, a son and daughter:—

1. THOMAS, who succeeded as Earl of Mar.
2. MARGARET, Countess of Mar. (*See below.*)

IX. THOMAS, Earl of Mar, was still under age at his mother's death in 1347-48, and must therefore have been very young when he succeeded his father. King Edward III., on 15 January 1347-48, assigned him to the care of his stepfather, William Carsewell, until his majority.[4] He was doubtless of full age when, in June 1351, he was a commissioner for a treaty of peace with England.[5] In 1357 he was one of the hostages for payment of King David's ransom.[6] After the death of his grandmother Christian Bruce in the same year, he had a charter confirming to him the lands she had held, the lordship of Garioch,[7] and thenceforth he added the style of Lord of Garioch to his title of Earl of Mar. He held the office of Great Chamberlain of Scotland in 1358 and 1359,[8] but the number of safe-conducts he received from the English King shows that he had leanings towards that country, and he did, on 24 February 1359-60, enter into an agreement to serve the King of England in his wars,

[1] *Antiq. of Aberd. and Banff*, iv. 714. [2] *Ibid.*, 153-155, 714; *Cal. Doc. Scot.*, iii. Nos. 1204, 1311, 1371, 1497. [3] *Antiq. of Aberd. and Banff*, iv. 158, 373. [4] *Rotuli Scotiæ*, i. 708. Mr. Bain (*Cal. Doc. Scot.*, iii. xli.) says he took part in the attack on Edward Baliol at Annan in December 1332, but he was an infant, and the young Earl of Moray is the person referred to. [5] *Rotuli Scotiæ*, 741. [6] *Cal. Doc. Scot.*, iii. No. 1629. [7] Robertson's *Index*, 31, No. 34; 36, No. 25. [8] *Exch. Rolls*, i. 550 to end.

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except against his own sovereign, for a sum of 600 merks sterling yearly. He was also to receive £600 sterling yearly if he lost his lands in Scotland. Provision was made for his marriage at the King's pleasure or otherwise.[1] Later on, whether King David learned of the above agreement and resented it, or for some other unknown cause, he, in 1361, besieged and took the Earl's castle of Kildrummy, committing it to the charge of Sir Walter de Moigne. It has been stated that the quarrel began in a single combat between the Earl and Sir William Keith, whom the King favoured; but this seems scarcely a sufficient reason for depriving Mar of his stronghold. Wyntoun says the castle was taken because Mar was out of the kingdom; but this is not clearly proved. A more probable reason of the King's action, apart from the English agreement, is given by the *Scalacronica*, which states that he took the Earl's castle because of the extortions practised upon the people. A fine of £1000 was laid upon the Earl to be paid in five years under pain of losing his castle.[2] Kildrummy was still in Sir Walter Moigne's hands in 1364, and 1000 merks were then paid to the Earl, probably his allowance from the earldom. He seems to have passed and repassed into England, as appears from safe-conducts granted at various dates between 1362 and 1365. He had his castle restored to him before 20 August 1368, when he granted a charter there.[3] In October of same year he had a passport to go on pilgrimage to St. John of Amiens. The last authentic notice of him is a safe-conduct through England in October 1373, and he must have died between that date and 21 June 1374, when his brother-in-law William, Earl of Douglas, styles himself in an important writ Earl of Douglas and Mar.[4]

The Earl married, first, under two dispensations, dated 15 August 1352 and 29 May 1354, Margaret, daughter of Sir John Graham, Earl of Menteith, and Mary, Countess of

[1] *Rotuli Scotiæ*, i. 836. [2] *Scalacronica*, 202, 203. [3] *Antiq. of Aberd. and Banff*, iv. 722, cf. 715. [4] *Liber de Melros*, ii. 478-480. Mr. Burnett, in his article, already quoted, states that the Earl granted charters in November 1374 and 20 June 1376, but both these dates are wrong. The first should be 1364 and the second should be 1356 (*Antiq. of Aberd. and Banff*, iv. 373, 723). The writer has been unable to discover a later reference to the Earl in life than that stated in the text.

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Menteith,[1] but because he had no issue by her, he, at the instigation of the Devil, as an old chronicler has it, divorced her, and married, secondly, Margaret Stewart, the elder daughter and co-heiress of Thomas Stewart, Earl of Angus (*see that title*), by whom also he had no issue.

X. MARGARET, Countess of Mar, sister and direct heir of Earl Thomas, was married, before 13 November 1357, to Sir William Douglas of Douglas, afterwards created Earl of Douglas, and her brother granted to them, no doubt on their marriage, the lands of Drumlanrig,[2] and perhaps Cavers. On 21 June 1374, when Thomas, Earl of Mar, was apparently dead, the Earl of Douglas styles himself Earl of Douglas and Mar, and continued the use of the double title until his death in 1384. It has been contended that the latter title was assumed in right of his wife, who was the true holder of the title. On the other hand it has been stoutly maintained that a grant of the earldom of Mar was specially made to the Earl of Douglas. This, however, is not borne out by the evidence adduced, and may be dismissed as not proven.[3] For the rest, the evidence is meagre. The Countess after her husband's death, and during the life of her son James, who held the titles of Douglas and Mar, styles herself Countess of Douglas, Lady of Mar and of Garioch.[4] After her son's death she, in 1389, describes herself as Countess of Douglas and Mar.[5] These are the only two occasions on which she is recorded as granting charters in her own right, but she is described as Countess of Douglas and Mar in a writ by her son dated 3 April 1385.[6] She married, secondly, before 27 July 1388, Sir John Swinton of Swinton, but he never had the title of Earl, being always described as Lord of Mar, until he was killed at Homildon 14 September 1402. It is not certain when Margaret, Countess of Douglas and Mar, died.

[1] *Red Book of Menteith*, i. 121-124. [2] *Fifteenth Rep. Hist. MSS. Com.*, App. viii. 6, 7. [3] Case for Lord Kellie in Mar Peerage, 15, 106, where stress is laid on a memorandum from the Douglas Charter-chest (Minutes of Evidence, 331, No. 180), but it will not bear the interpretation placed upon it, as a similar but more complete entry in an old MS in the Gen. Reg. House indicates that the charter quoted is not granted to the Earl of Douglas, as alleged, but is a confirmation of one granted by him. [4] *Antiq. of Aberd. and Banff*, iv. 724, 725. [5] *Fifteenth Rep. Hist. MSS. Com.*, App. viii. 9. [6] *Antiq. of Aberd. and Banff*, iv. 728.

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She was alive 5 December 1389,[1] but may have been dead on 18 March 1390-91, when Sir Thomas Erskine protested in Parliament as to the right of his wife Janet Keith or Barclay to one-half of the earldom of Mar,[2] as she is not named in connection with the matter, and the question may have been raised in consequence of her death, though this is not certain. She appears, however, to have died before 22 November 1393,[3] when her daughter is styled Countess of Mar. Her issue by William, Earl of Douglas, were:—

1. James, who succeeded his father about May 1384 as Earl of Douglas,[4] and grants charters as such, including one as Earl of Douglas and Mar, while his seal, like his father's, bore the cognisances of both earldoms.[5] He died at Otterburn 5 August 1388, and predeceased his mother.
2. Isabella, of whom below.

XI. Isabella, Countess of Mar, succeeded to the lands and earldom, but the variations in her designation are perplexing. She is first mentioned in the protest of 12 March 1390-91, already cited, and is referred to as Isabel, wife of Sir Malcolm Drummond. She is next styled Countess of Mar in a writ of 22 November 1393, by King Robert III. conceding to Sir Thomas Erskine that although Countess Isabella should for any reason resign or alienate the earldom or any part thereof in prejudice of her true heirs (a position claimed for the wife of Sir Thomas) he, the King, would not receive such resignations nor ratify any alienations. A month earlier, 19 October 1393, her husband is styled Lord of Mar.[6] Later, in 1397, she is again styled Countess of Mar in the charters and other writs securing the succession of her natural brother George Douglas, Earl of Angus, to the unentailed estates of her father and brother, the first and second Earls of Douglas.[7] On 19 April 1400, in a charter by her and her husband Sir Malcolm Drummond,

[1] *Fifteenth Rep. Hist. MSS. Com.*, App. viii. 9. [2] *Acta Parl. Scot.*, i. 578. [3] *Antiq. of Aberd. and Banff*, iv. 165, where the year is inadvertently given as 1395. [4] Vol. iii. 153-157. [5] *Haddington Book*, ii. 226; *The Douglas Book*, iii. 71. [6] *Antiq. of Aberd. and Banff*, iv. 164, 165. [7] *Douglas Book*, iii. 37, 38, 41.

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Lord of Mar, granting Liddesdale to George, Earl of Angus, she is described as Isabella, Lady of Mar and Garioch, while her seal is said to design her as Countess of Mar.[1] She uses the same style, Lady of Mar and Garioch, in two charters dated 8 November 1402,[2] after Sir Malcolm's death, while a few months later, on 18 March 1402-3, she grants certain lands to the Bishop of Aberdeen[3] by her title of Countess of Mar and Garviauch, a style which she maintained to the end of her life. She died between May and October 1408.[4] She was married, first, before July 1388, to Sir Malcolm Drummond of Strathurd, brother of Annabella, Queen of King Robert III. He never held the title of Earl of Mar, but is always designed Lord of Mar. He was made prisoner in the year 1402 by a stratagem, and so severely treated in captivity that he died before November of that year.[5] The Countess was married, secondly, to Sir Alexander Stewart, eldest natural son of Alexander, Earl of Buchan, the 'Wolf of Badenoch,' a young man of wild tendencies, and a leader of 'caterans.'[6] He is said to have seized the person of the Countess as well as her castle of Kildrummy, but on 12 August 1404 she conveyed to him and to his heirs to be born betwixt them, whom failing, to his lawful heirs whomsoever, her earldom of Mar and her other lands, on the footing of a contract of marriage betwixt them. This however, was probably compulsory, and the charter was never confirmed by the King, a fact which rendered it wholly invalid. On 19 September 1404, in presence of a distinguished company, Sir Alexander went through the form, for it was nothing more, of delivering up to the Countess her castle with all its contents. She then, with the keys in her hands, chose him publicly as her husband, and made over to him all her earldom and lands.[7] This was followed by a charter by the Countess repeating the former grant, dated 9 December 1404, with a very different destination, namely, to his heirs to be born of the marriage, whom failing, to her heirs on either side. This important writ was duly confirmed by King Robert III. on 21 January 1404-5. The marriage apparently took place between 9

[1] *Douglas Book*, 44-46. [2] Mar Evidence, 617, 618; *Antiq. of Aberd. and Banff*, ii. 9, 10. [3] *Reg. Epis. Aberdonensis*, i. 207. [4] Vol. iii. 154. [5] *Antiq. of Aberd. and Banff*, iv. 164. [6] Fordun à Goodall, ii. [7] *Antiq. of Aberd. and Banff*, iv. 167, 168.

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December 1404 and 2 January 1404-5, as on the latter date Sir Alexander Stewart is styled Lord of Mar, and after the royal confirmation he appears as Earl of Mar and Garioch. After his marriage, the Earl of Mar began to distinguish himself in public affairs both at home and abroad. In 1406 he went to England to take part in a passage of arms with Edmund, Earl of Kent. He then went to Flanders, and his magnificent display and his warlike exploits there are chronicled by the contemporary Wyntoun.[1] He returned to Scotland in the beginning of 1409. Some time between that and 1411 he married the heiress of Duffel in Brabant, and is styled Lord of Duffel in a writ of 17 March 1410-11, but it is said he was separated from her.[2] An effort was certainly made in that direction, as in 1415, at the instance of Robert, Duke of Albany, Pope Benedict XIII. issued a commission to declare the marriage null which Alexander, Earl of Mar, had contracted in Brabant with Maria de Hoorne. He had lived with her eight days or so, and then returned to Scotland; she having been previously married to one from whom she had separated without a judge's decree; and the Earl now wished to marry another.[3] The marriage, however, was not annulled, as on 18 December 1415 the Earl and Mary his wife received an indulgence to choose a confessor,[4] and in a writ of 1432 she is described as Marie van Hoerne (daughter of William van Hoorne and Marie van Randerode), and it is said that her husband the Earl of Mar has not for a long time past been in Brabant, and is no more in a position to go there. Her will is dated April 1433, and she was dead before June 1436.[5] In the same year as his second marriage, 1411, he commanded the force which checked at Harlaw the advance of Donald of the Isles and his Highlanders.

The Earl had no family by either of his wives, but he had a natural son *Thomas*, and he obtained from King James I., on 28 May 1426, a charter granting the earldom of Mar and the lordship of the Garioch to himself and his son with

[1] *Cronykil*, Bk. ix. p. cxxvii. [2] *Antiq. of Aberd. and Banff*, iv. 178, 179, 452. [3] 9 March 1414-15, *Regesta Avenionensia*, vol. 347 f. 776. The statement about her leaving her first husband is of doubtful accuracy. His name was Thiery de Lienden, and he died in 1408 (*Scot. Antiquary*, vii. 1, 2). [4] *Regesta Vaticana*, lib. 328, f. 460. [5] *Scot. Antiquary*, *ut cit.*, and authorities there quoted.

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reversion to the King and his heirs.[1] The King also in the following January granted or continued to him the lordship of Badenoch for life.[2] He died in 1435,[3] without lawful issue, his son Thomas, who had married Elizabeth Douglas, widow of John Stewart, Earl of Buchan (*see that title*), without issue, having predeceased him.

The Earl is also said to have had a natural daughter *Janet*, married to Lachlan M'Lean of Dowart. She had a grant of certain rents from King James II., which she enjoyed until her death about Martinmas 1485.[4]

The history of the earldom of Mar, of which the first part here ends, and which becomes somewhat involved, will be further stated in the course of the next article.

ARMS (given in the *Armorial de Gelre*, c. 1370).—Azure, a bend between six cross crosslets fitchée or.

CREST.—Two wings of ten pen feathers bearing arms as on the shield.

[J. A.]

[1] Mar Peerage Evidence, 33. It was in terms of this charter, and that of 12 August 1404, that the Crown, in 1435, seized upon and annexed the earldom. [2] Mar Peerage Evidence, 34. [3] Fordun à Goodall, ii. [4] *Exch. Rolls*, vi. pref. cxliii, etc.; vii., viii., ix., 390.

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ERSKINE, EARL OF MAR

ERSKINE (also spelt 'Herchyn, Irskyn, Irschkyne, Yrskyn') as a surname is probably local, and derived from the parish or barony of that name, in the shire of Renfrew. The barony does not appear among the lands granted by King Malcolm IV. to Walter, the first High Steward, but no doubt it formed part of the great lordship of Renfrew. The church of Erskine is named at a very early date, but members of the family which probably took its name from the lands do not so soon appear on record, though it is possible they were native owners, and became vassals of the Stewarts.

Henry de Erskin is the first on record, and he is only named once, as a witness to a charter by King Alexander II. confirming a grant of the church of Roseneath to the monks of Paisley, made by Aulay, brother of Maldouen, Earl of Lennox, the writ being dated at Traquair 12 March 1226.[1]

Sir John Erskine, Knight, appears as a witness to a charter by Adam, called Carpenter, granting Ingleston to the Abbey of Paisley, dated about 1260, and also to two writs by Walter Stewart, Earl of Menteith, dated re-

[1] *Reg. de Passelet*, 210.

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spectively 19 January 1262-63 and 14 May 1271.[1] Mr. George Erskine, Baron Bailie of Alloa, who, in 1709, wrote a short account of the family, refers to a charter which he believed to exist, but which he had not seen, granted to Sir John for services at the battle of Largs.[2] Some time between 1300 and 1309, James, the High Steward, granted to John Yrskyn, son of John, son and heir of Sir John, certain lands in the holding of Largs,[3] which shows that Sir John was then alive. He is therefore probably the Johan de Irskyn who appears among other landowners of Renfrewshire in the Homage Roll of 1296. A seal believed to be his is still attached, and is thus described: 'A stag's head cabossed; between the antlers a small four-footed animal passant to sinister. Legend, 'S. Johannis de Erkyrn' (?)[4] His wife has not been discovered,[5] but he had issue:—

1. JOHN.
2. *William*, named in the High Steward's charter already cited.

JOHN, or SIR JOHN (as he is styled by Mr. George Erskine), was son and heir of Sir John, and probably succeeded to the estates, though no record of the fact has been found. He had issue:—

1. WILLIAM, who succeeded.
2. *John*, to whom the High Steward granted lands in Largs, to be held for the tenth part of a knight's fee, the grantee to have 'six brewhouses, if he think fit.'[6]
3. *Helen*,[7] said to be married to Sir Thomas Bruce, brother of King Robert Bruce, who was executed at Carlisle by order of King Edward I.

SIR WILLIAM ERSKINE, who, according to Barbour, distinguished himself in the course of the expedition made by

[1] *Reg. de Passelet*, 58, 122, 192. [2] Minutes of Mar Peerage, 515. [3] Macfarlane MS., Adv. Lib. 34.3.25, p. 222. [4] *Cal. Doc. Scot.*, ii. No. 812; cf. 204. [5] Mylne in his Collections (Adv. Lib., MS. 34.6.10, p. 304) cites a charter of the time of Alexander III. by Sir John Erskine, Knight, to John his younger son, begotten from his [wife], the daughter of Gilronan, of his land on the south side of the water of Goghow. [6] Macfarlane MS., *ut cit.* [7] This daughter is inserted on the authority of Mr. George Erskine, who, however, only refers to Mr. George Martin's Genealogy, not a trustworthy source.

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Sir James Douglas and Randolph, Earl of Moray, into Weardale, England, in 1327. He was at that time made a knight, and on the same day, being well horsed and equipped, he aided Sir James Douglas in a plot to draw the English archers into an ambush, but was borne so far with the crowd of fugitives that he was taken prisoner. He was, however, shortly afterwards exchanged for Englishmen taken by the Scots.[1] He was alive in 1331, when he is referred to as a creditor of the late King Robert.[2]

He is said to have had issue four sons:—

1. Sir Robert, who succeeded.
2. *Sir Allan* Erskine, who had charters of Inchture in Perth and Crambeth in Fife from King David II. on 2 October 1365. He had also charters of lands in the territory of Inchmartine, and of Banchory in Fife, from King Robert II. on 24 October 1379.[3] He died in May 1400. He married, before 1362, Isabel Inchmartine, daughter and heiress of Sir John Inchmartine of that Ilk and Margaret Wemyss his wife. She died in or about 1399. They had issue two daughters: *Margaret*, married to Sir John Glen of Glen and Balmuto; and *Isabella*, married, as his second wife, about 1386, to Sir John Wemyss of Kincaldrum and Reres, afterwards of Wemyss.[4]
3. *Andrew*, who had a charter of Roploch from King David II. in 1361,[5] and
4. *Archibald*, of whom nothing is known, are said by the family genealogist of 1709 to have been sons of Sir William, but no other evidence has been found.[6]

Sir Robert Erskine of that Ilk, who is next on record, was one of the most prominent members of his family, held a high position in public affairs, and added largely to the family possessions. He does not appear on record until about 1343, when he is a witness to a charter by Sir John Maxwell of Pencaitland to the monks of Dryburgh. He had then attained the honour of knighthood.[7] After the battle of Neville's Cross in 1346 he appears to have acted

[1] *The Bruce*, Scot. Text Soc. ed. ii. 152, 153. [2] *Exch. Rolls*, i. 404. [3] *Reg. Mag. Sig.*, fol. ed. 41, 42, 143. [4] *Memorials of the Family of Wemyss*, i. 40, 41; ii. 19, 36, 43. [5] *Reg. Mag. Sig.*, 22. [6] Mar Minutes, 515. [7] *Liber de Dryburgh*, 272.

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as High Chamberlain of Scotland, though he is not definitely so named until 1350. He held the office continuously until 1357, and again some years later, from April 1363 to 11 December 1364.[1] He was very active in promoting the release of King David II., and his son and heir was one of the hostages for that King in 1354.[2] Later, in 1357, he was one of the Scottish Plenipotentiaries sent to treat with England as to the King's ransom, and he also ratified the final treaty for his release, his son again being a hostage.[3] Two years later he applied to the Papal See for a dispensation and release from a vow he had made to bear arms against the Saracens in the Holy Land, and to visit Mount Sinai (St. Catherine's convent), pleading that on account of the King's business and the frequent wars he was unable to go. The reply, on 11 August 1359, was that if a date for his going was fixed, it might be postponed for a year.[4] But there is no evidence that he ever left Scotland on such an errand, though he was employed on not a few embassies, chiefly to England, but also to the French and Papal Courts.[5] On one such occasion, when in England in 1363, he received the gift of a gold or gilt cup valued at £9, 18s. 6d. He was again a special ambassador there in 1369.[6]

He received various grants of estates. From Robert, High Steward of Scotland, he had a charter of lands in the holding of Erskine, not dated, but confirmed by King David II. on the last day of February 1351-52.[7] In 1358 he had a charter from Thomas, Earl of Mar, of the lands of Garioch.[8] In 1359 King David restored to Sir John Menteith the barony of Strathgartney, and Sir John must have granted it to Sir Robert, now his brother-in-law, but the King, about 1366, transferred it to John Logie, the son of his second Queen, Margaret Drummond or Logie. In 1368 Sir Robert received a special charter conferring on him and his wife the lands of Alloa under peculiar circumstances.[9] In 1367, by an Act of Parliament all Crown lands held or rented by subjects were revoked to the King's hands to augment his revenue and aid in paying off his ransom. Sir Robert Erskine then held lands called the Park of Clack-

[1] *Exch. Rolls*, ii. pref. cxxv. [2] *Cal. Doc. Scot.*, iii. No. 1576. [3] *Ibid.*, Nos. 1649, 1651, 1660. [4] *Papal Reg. Petitions*, i. 346. [5] *Exch. Rolls*, ii. pref. xlvi, lxvi. [6] *Cal. Doc. Scot.*, iv. Nos. 93, 154. [7] Macfarlane MS. Adv. Lib., 34.3.25, 223, 224. [8] *Acta Parl. Scot.*, i. 524. [9] *Ibid.*, 531.

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mannan, the Forest of Clackmannan, the 'Pool' and town of Alloa and others, which fell under the scope of the Act. But on 22 June 1368 King David regranted these lands of Alloa and Galbardstoun, Isle of Clackmannan, on the west side of the Water of Little Dovan, in exchange and recompence for the lands of Strathgartney; and he granted the New Park near Stirling, and the land called Breuhalgh (Brewhaugh), in the Forest of Clackmannan, in exchange for the Old Park near Stirling, adding to the grant, in consideration of Sir Robert's services, the lands of Ferrytoun, the meadow of Clackmannan, and a portion of the royal park on the east side of the water of Little Dovan. These lands, including the 'Pule' or 'Pow,' the port of Alloa, have ever since been in the possession of Sir Robert's descendants.

Sir Robert was an active partisan of the High Steward in his claim to the throne on the death of King David II. in February 1370-71, and is said to have materially contributed to a peaceful solution by restraining his stepson William, Earl of Douglas, who pretended also to the vacant throne.[1] But the reasons of this episode or the ground of Douglas's claim have never been stated, and remain still an historical mystery. Sir Robert did homage at the coronation of the new King in 1371, and was also present when, in 1373, the succession to the Crown was secured to the Stewart family.[2] His loyal services were acknowledged, and perhaps stimulated, by an important bond of Robert, Earl of Fife, with consent of his brother John (afterwards King Robert III.), binding the Earl to be a faithful friend to Sir Robert and his family, a bond sworn on the gospels and sealed by both brothers at Perth on 7 February 1372-73.[3] In 1373 also he exchanged for an annualrent of £100 yearly the lands of Ednam, of which, with the lands of Nisbet, he had some years before received a charter from King Robert, then Steward of Scotland, but he now resigned Ednam in the King's hands,[4] retaining Nisbet, which remained in the family for some time longer. The £100 was made good to him from the custom duties of Aberdeen, while he also received a payment of 500 merks as compensation for giv-

[1] Fordun à Goodall, ii. 382; Wyntoun's *Cronykil*, bk. ix. p. ci. [2] *Acta Parl. Scot.*, i. 545, 549. [3] Mar Peerage Evidence, 383. [4] *Acta Parl. Scot.*, 561, 562. The charter by the Steward was granted probably between 1361 and 1363.

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ing up the keepership of Stirling Castle.[1] Sir Robert had other lands, notably the barony of Kinnoull, the patronage of the church of which he granted in January 1361-62 to the Abbey of Cambuskenneth.[2] He had also the Malers east and west and Kintulach in Perthshire, the latter of which he also bestowed, in September 1361, on the same abbey.[3]

Sir Robert was a frequent attender of Parliament and Council up to 1384, and he died between Whitsunday and Martinmas 1385.[4]

Sir Robert Erskine married, first, Beatrice Lindsay, daughter of Alexander Lindsay of Crawford, and widow of Sir Archibald Douglas, for a short time Regent of Scotland, who fell at Halidon Hill on 19 July 1333. It is not certain when the marriage took place, perhaps some time later, as she was apparently still a widow in July 1335,[5] and she died before 1352, in or about which year Sir Robert married, secondly, Christian Menteith or Keith, widow of Sir Edward Keith of Sinton. The circumstances of the marriage are briefly recounted in a dispensation for their marriage dated 6 March 1355. In some private quarrel, then so prevalent in Scotland, Sir Robert had wounded and imprisoned Walter Menteith and his brother, cousins of Christian, while some of their party were slain. To appease the feud thus engendered, a marriage was, with King David's consent, arranged between Sir Robert and Christian, for which they asked a dispensation from Rome, as she and Beatrix Lindsay were related in the fourth degree. The dispensation was applied for in the time of Pope Clement VI., who died (6 December 1352) before issuing it, and they were deceived by the clerk who was intrusted with the application, and who wrote that he had finished his business. The parties taking this to mean the dispensation was obtained, married, and had issue, but discovering their error, they renewed their petition, which was now granted, the marriage being declared valid and the children legitimate.[6] It would thus appear that Sir Robert had issue by his second wife, but they apparently did not survive, as she is

[1] *Exch. Rolls*, ii. pref. lxxxii. [2] *Reg. de Cambuskynneth*, 224. [3] *Ibid.*, 254-258. [4] *Exch. Rolls*, iii. 141, 142. [5] *Douglas Book*, i. 213. [6] *Cal. Papal Petitions*, i. 286; *Letters*, iii. 564.

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usually said to have had no issue by him. She survived Sir Robert, and died about 1387.[1]

By his first wife he had:—

1. THOMAS, who succeeded.
2. *Nicholas* of Kinnoull, who is distinctly called by Bower, 'uterine brother' of Sir Thomas, when recounting the part the brothers took in repelling an attack made by English soldiers upon the monastery of Inchcolm in the Firth of Forth, in 1385.[2] He received the barony of Kinnoull by his father's resignation on 14 January 1366-67, confirmed on 18 of same month by King David II.[3] He was present at the coronation of King Robert II. in 1371.[4] He died not long before December 1406. He married, first, Jean, daughter and co-heiress of Sir John Cameron of Balegarno, who died before March 1382-83.[5] He married, secondly, after 1402, Elizabeth Keith, widow of Sir Adam Gordon of that Ilk, who survived him. (*See* Huntly.) He had issue by first marriage a son *William*, who succeeded him in Kinnoull, whose son, *Sir John*, died in 1445, leaving a daughter and heiress, who was first contracted to James, son and heir of James, first Lord Livingstone, but not married to him. She was married to John Crichton, of whom nothing is known, and finally became the wife of Robert, first Lord Crichton of Sanquhar.[6]
3. *Marion*, married, before 1362, when they had a charter, to Maurice Drummond, second of Concraig, and had issue.[7]

SIR THOMAS ERSKINE, the eldest son of Sir Robert, is first named in 1354, if it be he who in that year, as 'son and heir' of Sir Robert Erskine, was proposed as one of the hostages for King David II.[8] Three years later Thomas Erskine, on King David's final release, was again a hostage, and was committed to the care of John de Coupland (where not stated), on 2 October 1357.[9] Sometime between 1365

[1] *Exch. Rolls*, iii. 141, 185, 217. [2] Fordun à Goodall, ii. 399. [3] *Reg. Mag. Sig.*, fol. ed. 50. [4] *Acta Parl. Scot.*, i. 545. [5] Ms. Adv. Lib. 34.6.24, pp. 274, 275. [6] Vol. iii. of this work, 223. [7] *Genealogy of the House of Drummond*, 39, 40. [8] *Cal. Doc. Scot.*, iii. No. 1576. [9] *Acta Parl. Scot.*, i. 519; *Cal. Doc. Scot.*, iii. 434.

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and 1370, he was made a knight under somewhat peculiar circumstances. His first wife, the heiress of Dalkeith, of whom later, died at the birth of her first child, and there was a difference of opinion as to whether the child was born living or not. Erskine claimed the liferent of his wife's estate on the plea that the child lived, while James Douglas, the next heir, claimed the estates on the ground that the child died, and the parties resolved to decide the matter by personal combat. The duel was to take place at Edinburgh in presence of the King, and just before they entered the lists the parties were knighted, James Douglas by Sir Archibald Douglas, 'the Grim,' and Thomas Erskine by his own father. Then they fought, but were separated by the royal command and led out of the lists. No agreement could be effected, and they were again about to engage, when the King's influence prevailed and the matter was arranged. Sir Thomas Erskine accepted a sum of money in lieu of his rights, and Sir James Douglas obtained the estates in dispute.[1]

Sir Thomas, prior to 1371, was keeper of Edinburgh Castle and also Sheriff of Edinburgh.[2] He was in that year a consenter to the Act of Succession passed in favour of the Earl of Carrick. He had an annuity of £53, 6s. 8d. from the customs of Linlithgow, and also £100 yearly from the customs of Aberdeen, which was paid to his wife and heir after his death.[3] On 8 November 1376 he had a royal charter of the barony of Dun, co. Forfar, resigned to him by his father.[4] He frequently appears as a witness to royal charters, which indicates attendance at court, and on 27 January 1398-99, when David, Duke of Rothesay, was made Lieutenant-General of the kingdom, Sir Thomas Erskine was one of those appointed to be his special advisers.[5]

It was on 18 March 1390-91 that, during the sitting of Parliament, he made his famous protest to King Robert III. on behalf of his then wife, Dame Janet Keith or Barclay. The immediate cause of the protest was that Sir Thomas had learned that a contract had been made between Sir Malcolm Drummond, husband of Isabella, Countess of Mar, and Sir John Swinton, second husband of her mother,

[1] Fordun, ed. 1871, 370 *n.* [2] *Exch. Rolls*, ii. 364. [3] *Ibid.*, iii. *passim.* [4] *Reg. Mag. Sig.*, fol. ed., 129. [5] *Acta Parl. Scot.*, i. 572-574.

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Margaret, Countess of Douglas and Mar, as to the earldom of Mar. He therefore required of the King that if any such contract were made in prejudice of his wife, who, failing the heirs of Countess Isabel, was the heiress of half the earldom, the royal confirmation should not be given to such agreement. The King allowed the request to be reasonable, and said he had no wish to prejudice the rights of Sir Thomas and his wife.[1] On 22 November 1393 the King renewed his promise in a wider form, granting to Sir Thomas that although Isabella Douglas, Countess of Mar, because of information or agreement with any one, should be willing to resign the earldom or any part of it, or any lands elsewhere to which the heirs of Thomas ought to succeed, or to make resignations of the same to any one in prejudice of her true heirs, the royal consent or confirmation would not be given, or if given by mistake, should be null and void.[2]

On 2 February 1392-93 Sir Thomas and his wife were granted a portable altar by Pope Clement VII.[3] Sir Thomas was taken prisoner at Homildon on 14 September 1402, and may have remained a captive in England until his death, which took place between Martinmas 1403, when his pension of £100 was paid to himself, and Whitsunday 1404, when it was paid to his widow.[4]

Sir Thomas Erskine married, first, about 1365, Mary Douglas,[5] only child and heiress of Sir William Douglas, known as the 'Knight of Liddesdale.' She died in childbed, and Sir Thomas was obliged to give up possession of her estates to the next heir. He married, secondly, before 13 April 1370, Janet Keith or Barclay, widow of Sir David Barclay of Brechin.[6] It was on her account he protested in 1390-91, regarding the earldom of Mar, that one-half of the earldom of Mar and of the lordship of Garioch pertained to his wife in right of heritage. She is therefore the most important link between the ancient and the modern Earls

[1] *Acta Parl. Scot.*, i. 578. This protest was made at Scone, upon the hill to the north of the monastery outside the cemetery, where and when King Robert sat in full parliament. [2] *Antiq. of Aberd. and Banff*, iv. 165. [3] *Vatican Archives, Avignon Regesta*, 272, 389. [4] *Exch. Rolls*, iii. 606. [5] A dispensation for their marriage was issued on 29 November 1365. *Cal. Papal Letters*, iv. 53; Theiner, 330. [6] Vol. ii. 224. The date 13 April 1369 given at this page is a year wrong, owing to the miscounting of the regnal years of King David II.

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of Mar, and it may be well again to examine on what her claim rests. She is said to have been the daughter of Sir Edward Keith of Sinton and of Christian Menteith, daughter of Sir John Menteith (the second), Lord of Arran, Strathgartney, and Knapdale, by Ellen of Mar, daughter of Gratney, Earl of Mar. There is good evidence of the relationship of Ellen of Mar to Earl Gratney, and of her marriage to Sir John Menteith.[1] There is also evidence that Christian Menteith, wife, first, of Sir Edward Keith, and, secondly, of Sir Robert Erskine, was the daughter of Sir John Menteith and Ellen of Mar.[2] There is very positive proof that Sir Thomas Erskine married Janet, widow of Sir David Barclay (the second) of Brechin.[3] But the proof that her name was Keith or that she was the daughter of Sir Edward Keith and Christian Menteith is very meagre, a fact of which no notice was taken in stating the evidence for the Mar Restitution Bill of 1885. The pedigree compiled in 1709 by Mr. George Erskine, bailie of Alloa, asserts that such was Janet's parentage, and it has been taken for granted that he was right. But there are only two or at most three facts on record which support the statement. The first is the evidence of Andrew Keith of Inverugy, who with Ingram Wintoun of Andat gave evidence in 1447 as to the then Sir Robert Erskine's relationship to the Earls of Mar. He was a man of eighty, born therefore about 1367, and must have known Sir Thomas Erskine's wife. He states that her name was Janet, and that she was the daughter of Sir Edward Keith, but says nothing about her mother.[4] A second fact in favour of Janet Keith's descent is that she and her husband had possession of the lands of Pirchock and Ludquhairn, which had been granted by Sir John Menteith to Christian, his daughter, and Sir Edward Keith.[5] A third fact referred to in the evidence for the Mar Restitution Bill is that an annuity of £100 from the Customs of Aberdeen paid to Sir Thomas

[1] *Acta Parl. Scot.*, i. 524. [2] Douglas, *Peerage*, ed. 1764, 466; *Acta Parl. Scot.*, i. 824. [3] *Reg. de Panmure*, ii. 230. [4] *Antiq. of Aberd. and Banff*, iv. 197, 198, where the depositions are printed from a transcript in the Gen. Reg. House, which is still there, but gives no clue to the whereabouts of the original, which must have been the Mar Charter-chest. Cf. Mar Peerage Evidence, 514. [5] Douglas, *Peerage*, ed. 1764, 366; Mar Peerage Evidence, 88.

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Erskine from 1389 to 1403, was after his death paid to his widow as if in her own right, and in the later entries, when the sum was paid to her son after her death, the money is said to be payable in exchange for Arran[1] which had belonged to Sir John Menteith. This was laid much stress on before the House of Lords, but the argument loses force from the fact that the same sum was paid to Sir Robert Erskine for many years before it passed to Sir Thomas, and in Sir Robert's case the payment coincides with his resignation of Ednam,[2] as stated on page 594. It may be, however, that the payments to Dame Janet Barclay were held to relate to Arran. But though the evidence on the point is not strong, the family belief on the subject so constantly and consistently asserted may be accepted as being not only probable, but the simplest and most direct way by which Janet Erskine or her heirs could claim any interest in the earldom of Mar. She survived Sir Thomas, dying soon after Whitsunday 1413, her annuity after that date being paid to her son Sir Robert.[3] Sir Thomas Erskine and his second wife had issue:—

1. Sir Robert, who succeeded.
2. *John*, who received the lands of Dun from his father, and had a charter from King Robert III. on 25 October 1392.[4] He was the ancestor of the Erskines of Dun and of Pittodrie, the latter represented by Mr. Henry William Knight Erskine of Pittodrie. The barony of Dun descended in the male line until John Erskine of Dun married, in 1770, Mary Baird of Newbyth, and had issue two daughters, the eldest of whom died unmarried. The second, *Margaret*, was married to Archibald Kennedy, 12th Earl of Ailsa, first Marquess of Ailsa, and her present representative is now Augustus John Kennedy Erskine of Dun, who is a minor, being born in 1900.
3. *Elizabeth*, whom it was proposed to marry to Alexander Seton,[5] afterwards Lord of Gordon, but she was married to Duncan Wemyss of Rires. She and her spouse had from her father and mother a charter

[1] *Exch. Rolls*, iii. 217-606 *passim*; iv. 1-184 *passim* and 260-586. [2] *Exch. Rolls*, ii. and iii. [3] *Ibid.*, iv. 184, 260. [4] *Reg. Mag. Sig.*, fol. ed., 210. [5] *Reg. de Panmure*, ii. 230.

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of the lands of Pirchock and Ludquharn, dated between 1398 and 1400. They had issue.[1]

I. Sir Robert Erskine first appears on record in an indenture, dated 20 December 1400, between David, Earl of Crawford, and Sir Thomas Erskine, to be again referred to, and he then held the rank of knight. He was taken prisoner with his father at the battle of Homildon in 1402, and succeeded to the estates soon after Martinmas 1403, perhaps while he was still in England. But he was in Scotland in 1405, when he received on behalf of his mother the pension payable to her.[2] Between that date and 1415 he more than once passed into England, and he was a hostage for King James I. from 1424 to 1427, when he was exchanged for the Earl of Menteith.[3] He was also in 1430 an ambassador from Scotland to the English Court.[4] Other minor references to him during his life are his regular receipt of the £100 pension, paid to his grandfather and his mother and continued to himself, besides filling various posts as keeper of Dumbarton Castle and others.[5] It has been stated that he was made a Lord of Parliament between 1426 and 1430, but no evidence has been found to that effect. All the references to him up to 1436 style him Lord of that Ilk, or Sir Robert of Erskine, Knight.[6] Later, after 1438, he is styled LORD ERSKINE.

In 1435 he began to prepare for his struggle with the Crown for the earldom of Mar, a struggle the effects of which have been felt even in recent years.[7] As formerly stated, Alexander Stewart, the husband of Isabella, Countess of Mar, held the earldom until his death on 1 August 1435, when it was seized by the Crown. Sir Robert Erskine claimed, as has been seen, through his mother, and he intended to press his claim. His father in the protest of 1391 had referred to his wife's right to one-half of the earldom, probably holding her as a co-heiress

[1] Mar Evidence, 88; Fraser's *Family of Wemyss*, i. 58, *et seq.* [2] *Exch. Rolls*, iii. 639. [3] *Cal. Doc. Scot.*, iv. Nos. 872, 942, 1010. [4] *Ibid.*, No. 1032. [5] *Exch. Rolls*, iv. v. *passim.* [6] Cf. *Exch. Rolls*, v. 6 (in 1437), and previous authorities cited. [7] It is not in this article intended to revive the strife of the Mar Peerage Case and its sequel. The facts only will be briefly stated as they arise, and no opinion will be expressed as to the merits of the rival claimants for the title of Mar.

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with Isabel Douglas, then Countess of Mar. But Sir Robert's claim was wider, as appears from an agreement he made with Sir Alexander Forbes of that Ilk that the latter should for certain considerations aid Sir Robert and his son to all their rights of the earldoms of Mar and of Garioch, thus including the whole territory.[1] This was his first step, to gain the friendship of an influential local laird, and his next, King James I. having died in the interval, to obtain service as heir of Isabella, Countess of Mar, the last legal possessor. This was done, first, on 22 April 1438 for one half of the earldom, and secondly, on 16 October same year, for the other half.[2] Following on this and other formalities, Sir Robert assumed the title and designed himself in various charters Earl of Mar and Lord Erskine, and Earl of Mar and Garioch and Lord Erskine.[3] It must be stated, however, that the Crown only described him as Robert, Lord Erskine.[4] On the other hand, in the *Exchequer Rolls* his son is, in 1445, styled 'Thomas, Master of Mar,' and according to the Aberdeen burgh records of 28 December 1439 he was made a burgess as Earl of Mar and Lord of Erskine.[5]

The next step in the proceedings was an agreement made in a General Council at Stirling, 10 August 1440, between King James II. and his advisers and 'Schir Robert, Lord of Erskyne,' of which the first condition was that the Castle of Kildrummy should be delivered to Lord Erskine, to be kept by him for the King until the latter's majority. It was then to be freely given up by Lord Erskine, who should then come before the Three Estates and show his claim and rights to be judged, and if found necessary, the King's Chancery shall be open that he may pursue his rights. The revenue of half the earldom which Lord Erskine[6] claimed as his own was to remain with him, and to be held as his fee for keeping the castle if it should be adjudged to the King at the end of the period. On receiv-

[1] Mar Peerage Evidence, 339. [2] *Ibid.*, 386, 463. [3] *Ibid.*, 365, 495, 706. [4] *Ibid.*, 364, 365; cf. *Reg. Mag. Sig.*, lib. ii. No. 121 MSS. [5] *Exch. Rolls*, v. 235; *Extracts from Burgh Records of Aberdeen*, Spalding Club, 394. Robert Mylne in his collections (Adv. Lib., but reference not found) notes that 'Robert, Earl of Marr, gives charter to Andrew Cullace, burgess of Aberdeen, in January 1440, which Cullace had pretensiones to the Earldome of Marr.' [6] This title is used for convenience' sake, and without prejudice to his right to any other.

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ing possession of Kildrummy, Lord Erskine was to give up Dumbarton.[1] Lord Erskine appears to have kept his part of the agreement, but the Crown did not, and two years later, on 9 August 1442, he complained that the Chancellor (Crichton) had refused to retour him to Garioch or to deliver Kildrummy to his care. It is also said he seized that castle, when the Crown retaliated by taking his castle of Alloa. In any case another agreement was made on 20 June 1448, when Lord Erskine offered to give up Kildrummy between then and the 3 July to those chosen by the Three Estates, and also to account for the rents of half the earldom to the King at his majority, while the Council promised to deliver up Alloa and all warlike stores therein.[2] Lord Erskine, however, as stated below, had already delivered up Kildrummy, but how far the Crown had responded is uncertain. On 4 April 1449 his son Sir Thomas Erskine made a solemn appearance before the King and Estates on behalf of his father. He offered to fulfil all previous agreements, and protested against the fact that the revenues of the earldom had, since the previous Martinmas, been detained by the King's officers contrary to the indentures between the parties.[3] Nothing followed on this protest, and another and more emphatic attempt was made a few months later, on 26 January 1449-50, also before the King in Parliament sitting as a court. Sir Thomas Erskine in his own name and his father's, with all humility, craved justice or remedy to be made to his father concerning the earldom of Mar, belonging to his father by hereditary right, and unjustly detained, as he asserted, by

[1] *Acta Parl. Scot.*, ii. 55. [2] Writs cited in Douglas, ed. 1764, 467. This agreement is not known to be extant, and the exact terms of it cannot be ascertained, but it appears to have followed on royal letters dated 22 May, and of the King's reign the 12th (1448). These letters require Lord Erskine to give up the Castle of Kildrummy for the King's use, and they authorise Sir David Murray of Tullibardine and Robert Livingstone, the Controller, to receive it. It appears from the *Exchequer Rolls* that the castle was given up to the Comptroller before July 1448, and it was no doubt already in possession of the King at the time of the alleged agreement. The original of the royal letters is defective in the year of the King's reign, and Lord Crawford (*Earldom of Mar*, etc., i. 274, 275) suggests that the date of the writ was 22 May 1452. But that is impossible, as Livingstone the Controller was executed in January 1449-50. He became Controller between June 1447 and 1448, and the castle was delivered before July 1448, which makes the most probable date of the writ 22 May in that year. [3] Mar Minutes of Evidence, 92.

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the King. To this Chancellor Crichton replied, by the royal order, that it had been enacted[1] that all lands and lordships of which the late King had died vest and seised should remain with the Crown until the present King's majority, and that his Majesty desired to abide by that Act until then. Meanwhile it was proposed that the rights and evidences under which Lord Erskine claimed the earldom and those in support of the King's claim should be exhibited before the Privy Council, a court now offered in place of the Three Estates. On hearing this reply, Sir Thomas solemnly protested that the course or passing of time and the delay of justice until the King's majority should not tend to the future prejudice or loss of Lord Erskine, his heirs, nor of his own fee and heritage.[2] Here the matter rested for the time, and when the next step was made in March 1452-53 Lord Erskine was dead, though the exact date of his decease cannot be ascertained. He was, however, still alive on 7 September 1451, when as Earl of Mar and Garioch and Lord Erskine he confirmed a charter, granted by John Melville of Harviestoun to Edward Ramsay, of the lands of Westhall.[3] He may have died before 26 August 1452, when King James granted Garioch, called in the charter an earldom, to his Queen, Mary of Gueldres, for her life,[4] and he was certainly dead before 6 November 1452, when his son is designed Thomas, Lord Erskine, in a Crown charter.[5] Lord Erskine is usually said to have married a daughter of Robert Stewart of Lorn and Innermeath, but there is good reason to believe that he married the daughter of David, Earl of Crawford, referred to (her name not being given, but it was probably Elizabeth) in an agreement between that nobleman and Sir Thomas Erskine, dated at Brechin 20 December 1400. By that writ it was arranged that Sir Robert Erskine should marry a daughter of the Earl, who obliged himself to aid Sir Thomas and his wife Janet to recover possession of the lands of Mar and Garioch belonging to her.[6]

Lord Erskine had issue:—

1. Sir Thomas, second Lord Erskine.

[1] On 14 June 1445 (*Acta Parl. Scot.*, ii. 33), an Act probably framed to meet this particular case. [2] Mar Minutes, 98. [3] *Antiq. of Aberd. and Banff*, iv. 201, 202. [4] Mar Minutes, 34, 35. [5] *Reg. Mag. Sig.*, 23 April 1464. [6] *Exch. Rolls*, iv. pref. lxxxi, *n.*; Mar Evidence, 385, 515.

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2. *Janet*, who is named in a dispensation granted on 24 April 1421,[1] for her marriage with Walter of Lennox, second son of Murdach, Duke of Albany and Earl of Lennox. They are said to be related in the third degree, a relationship corroborative of the alliance with the Earl of Crawford. It has been doubted if the marriage took place canonically, but Janet Erskine appears to have been the mother of Walter Stewart of Morphie, and the ancestress of the Earls of Castle Stewart in Ireland.
3. *Christian*, married to Patrick, Lord Graham, and became the mother of William, Lord Graham.[2]

II. Thomas, second Lord Erskine, appears on record first, on 24 January 1440-41, as consenting to a charter by his father, and he was then a knight.[3] He is, as already stated, referred to several times in his father's lifetime, once in 1446, as Master of Mar, but is named Lord Erskine first in a Crown charter dated at Stirling 6 November 1452.[4] On 21 March 1452-53 he came before the King and General Council at Edinburgh and claimed justice to be done to him concerning the earldom of Mar and Garioch.[4] To his petition the Chancellor replied that the King proposed, shortly after Whitsunday, to go north, and while there, in presence of the King, justice would be done to Lord Erskine.[5] This promise, however, was not fulfilled, nor was it until 5 November 1457 that the matter was again discussed, and for the time ended, to Lord Erskine's detriment. The proceedings are too long to be recited here, and they have been fully narrated and commented on elsewhere.[6] It is sufficient to state that in a Court of Justiciary held at Aberdeen in presence of the King and some, at least, of his Privy Council, certain jurors who had sworn to the retours of 1438, in favour of Robert, Lord Erskine, were subjected to examination in private, after which Lord Chancellor Crichton in public offered to Lord Erskine the justice he had formerly claimed from the King. Lord Erskine replied that he desired only the usual brieve of inquest and service

[1] Andrew Stuart's *Genealogy of the Stewarts*, 451. [2] *Diocesan Registers of Glasgow*, i. 443; ii. 296. [3] *Reg. Mag. Sig.*, 30 October 1444. [4] *Ibid.*, 23 April 1464. [5] Mar Minutes, 94. [6] *The Earldom of Mar*, by the Earl of Crawford, i. 283-293.

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in the earldom. This the Chancellor granted, and after advice Lord Erskine produced the brief he had obtained from Chancery. A jury was then formed, including six of the jurors whose evidence had just been taken, five of them having given testimony adverse to the retours, and one at least being entirely in error on certain matters of fact. Before this jury it was stated for Lord Erskine that his father had died vested in the fee of half the earldom of Mar, and that he was his father's lawful and nearest heir, that he was of lawful age, and that the lands were in the King's hands by the death of Robert, Lord Erskine, in default of the heir (Thomas, Lord Erskine) not having prosecuted his right. The Chancellor replied by denying all the statements made by Lord Erskine, declaring that by Act of Parliament the late King was vested in the earldom. The final result was that the jury decided against Lord Erskine, and reversed the retour of 1438 by finding that Robert, Lord Erskine was not at his death seised in the half earldom of Mar, but that it was in the King's hands by the death of his father King James I.[1] Thus for a time the question as to the earldom of Mar was decided in favour of the Crown.

Lord Erskine then practically retired into private life, as little more is recorded of him. He received regular payment of the pension of £100 from the revenues of Aberdeen. He also attended Parliament, and is a witness to charters, but took no prominent part in public affairs, though he is said to have taken the side of King James III. in the war of 1488. He died in or shortly before 1493, when his son, as Alexander, Lord Erskine, had sasine of the lands of Sintoun.[2] The second Lord Erskine married a lady named Janet Douglas, as appears from a charter on 12 August 1489.[3] She has been stated to be a daughter of James, first Earl of Morton, and Lady Joan Stewart, daughter of King James I., but this is improbable, and her parentage is uncertain. By her Lord Erskine had issue:—

1. Alexander, who succeeded.
2. *Helen*, married to Sir Humphrey Colquhoun of Luss,

[1] Mar Evidence, 95-99; Reg. Ho. Charters, No. 348. [2] *Exch. Rolls*, x. 768; Mar Evidence, 516. [3] *Reg. Mag. Sig.* The *Complete Peerage* gives the date of the marriage as 1445, but quotes no authority.

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and was the mother of Sir John Colquhoun of Luss.[1]

3. *Isobel*, married (under papal dispensation, narrated in notarial instrument of 24 January 1465-66) to Patrick Graham of Kilpont, heir-apparent of Malise, Earl of Menteith, and had issue.[2]
4. *Elizabeth*, married to Sir Alexander Seton of Touch, and had issue.
5. *Mariota*, married to William, second Earl Marischal.[3]

III. Alexander, third Lord Erskine, succeeded his father in 1493, though he appears on record at a much earlier date, on 9 October 1466, when a judgment was given in favour of himself and his wife in a dispute with Lord Cathcart as to the office of bailiary of the barony of Ochiltree, who was directed to renounce the same.[4] He had, as Alexander Erskine, son and heir of Thomas, Lord Erskine, a charter of the lands of Balhagirdy and the mill of Inveramsay, with others, on 26 August 1485.[5] He had also a Crown charter of other lands, including Alloa, with the forest of Clackmannan; Pittarrow in Forfarshire, Kellie in Aberdeenshire, and others on his father's resignation, 12 August 1489.[6] He succeeded his father in or before 1493, as in that year he is styled Alexander, Lord Erskine, and had a sasine of the lands of Sintoun.[7] On 21 October 1497 he founded a chaplainry at the high altar of St. Mungo, in the church of Alloa, for the souls of his father and mother, and those of the late King James III. and his Queen Margaret, and welfare of King James IV., and for himself and his two wives.[8] He died before 10 May 1509, when his son had a precept for infefting his son Robert in the lands of Tulchgorne and others in Stirlingshire, but he may have died in the previous year, as various sasines to his son are noted in 1508, though he appears to have been alive in July of that year.[9] Lord Erskine married, first, before 1466, Christian,

[1] *Diocesan Registers of Glasgow*, i. 443; ii. 296. [2] *Red Book of Menteith*, i. 297. [3] There is no clear proof of these two daughters. Douglas gives another, *Mary*, as wife of William Livingstone of Kilsyth, but this is disproved by other evidence. (See *ante*, p. 186.) [4] *Acta Auditorum*, 3. [5] *Reg. Mag. Sig.* [6] *Ibid.*, at date. [7] *Exch. Rolls*, x. 768. [8] *Reg. Mag. Sig.*, 30 October 1497. [9] *Acta Dom. Conc. et Sess.*, xv. 110; *Exch. Rolls*, xiii. 659; cf. 112.

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daughter of Sir Robert Crichton of Sanquhar, widow of Sir Robert Colville of Ochiltree, by whom he had issue. She died, and he married, secondly, before 1480, Ellen, daughter of Alexander, first Lord Home, and widow of Sir Adam Hepburn of Hailes.[1] (*See titles* Bothwell, Colville, Dumfries, *and* Home.) She survived Lord Erskine, and was living in 1513.[2] By his marriages he had issue:—

1. ROBERT, fourth Lord Erskine.
2. *Walter* of Over Dunnotter, said to be second son of first marriage.[3]
3. *Christian*, spouse of David Stewart, younger of Rossyth,[4] is said to be a daughter of this Lord Erskine, also
4. *Agnes*, married to William Menteith of Kerse, but no direct evidence of their parentage has been found.

The *Peerages* insert a third son, *Alexander*, or *Mr. Alexander*, Erskine, but no further reference to him has been discovered; it is probable he belongs to the next generation.

IV. ROBERT, fourth Lord Erskine, appears first on record on 2 March 1485-86, as son and heir-apparent of Alexander Erskine of Balhagerdy, in a Crown charter to himself and his wife of the lands of Ellem and others, co. Berwick, and elsewhere.[5] He had Crown charters of various lands during his father's lifetime, and was infeft in the various estates of his father about 1508, or before May 1509.[6] He also acquired lands in the year 1510.[7] He is nowhere referred to as taking any part in public affairs, but he followed King James IV. to Flodden, and was killed there 9 September 1513.

He married, about 1485, Elizabeth (or Isobel), daughter of Sir George Campbell of Loudoun, who survived him, and was apparently still alive in 1519.[8] They had issue:—

1. *Robert*, Master of Erskine, who predeceased his father unmarried.[9]
2. JOHN, who succeeded.
3. *James*, who, as brother-german of John, Lord Erskine,

[1] Protocol Book of Stirling, 48. [2] *Exch. Rolls*, xiii. 583. [3] Mar Peerage Evidence, 516. [4] *Reg. Mag. Sig.*, 31 January 1492-93. [5] *Reg. Mag. Sig.* [6] *Ibid.*, per Index; *Exch. Rolls*, xiii. 659. [7] *Reg. Mag. Sig.* [8] *Ibid.*, 2 March 1485-86; *Exch. Rolls*, xiv. 622; *Reg. Sec. Sig.*, i. No. 3065. [9] Mar Minutes, 516.

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received, on 3 May 1528, a Crown charter of the lands of Little Sauchie, co. Stirling. He married Christine Stirling, apparently of the Keir family, before 7 June 1541, when he and she had a charter of the same lands.[1] He also received from William Colville, Commendator of Culross, a grant of the lands of Balgownie on 14 March 1548-49. He died at a great age between 1592 and 1596, predeceased by his wife in September 1582, aged seventy. Their tombstone is still preserved, the centre panel bearing a shield Erskine and Stirling arms impaled, with C. S. for Christian Stirling.[2] They had issue five sons and one daughter—*Robert*, *William*, parson of Campsie; *Adam* (who had a son *John*[3]), *James*, Vicar of Falkirk; Captain *Thomas*, and *Jean*, married to James Preston of Valleyfield.[4]

4. *Mr. Alexander*, parson of Moniabroch or Kilsyth.[5]
5. *Mr. William*,[6] of whom nothing is known.
6. *Margaret*, who was, before July 1502, contracted in marriage to Alexander, eldest son and heir to Sir John Elphinstone of that Ilk, but the contract was never fulfilled.[7] She was married (contract dated 14 December 1518) to James Haldane of Gleneagles, then under age,[8] and was still his wife on 1 March 1533-34.[9]
7. *Janet*, named in her sister Margaret's contract with Alexander Elphinstone. It has been said she became the wife of John Murray of Touchadam,[10] but he married her niece of the same name.

V. John, fifth Lord Erskine, who succeeded, was during his father's lifetime known as Sir John Erskine of Nisbet, and he had the rank of knight before June 1510.[11] He succeeded his father after Flodden, and received sasine of a large number of lands in November 1513.[12] He is said to have been sent in 1515 as Scottish ambassador to France to

[1] *Reg. Mag. Sig.*, at dates. [2] *Scottish Antiquary*, v. 98, where a drawing of the tombstone is given. [3] Abbrev. Cartarum Terrarum Ecclesiasticarum, MS., ii. ff. 332, 333. [4] *Ibid.*, v. 98-103, where a full pedigree is to be found; also p. 181; xii. 62, 123. [5] Mar Minutes, 516. [6] *Ibid.* [7] *The Lords Elphinstone*, by Sir William Fraser, i. 36, 37. [8] *Report Hist. MSS.*, Mar and Kellie Papers, 9. [9] *Reg. Mag. Sig.*, at date. [10] *The Lords Elphinstone*, i. 36-38. [11] *Reg. Mag. Sig.*, 27 March 1511. [12] *Exch. Rolls*, xiv. 520, 521.

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obtain the inclusion of Scotland in the treaty with England, but the only reference to him at that period simply shows he was a witness to the acceptance, dated at Edinburgh 15 May 1515, of the treaty by the nobles of Scotland.[1] He was one of three lords appointed to be the personal guardians of the young King James v., and had a salary of £200 for the third part of the year from September 1517 to September 1518, the same sum annually for the years from September 1518 to May 1522. At a later date he had £50 a month.[2] Ordinances were made on 3 August 1522, regulating the arrangements at the castle of Stirling and the salaries of the officers, and a special Act of Parliament was passed on 2 September 1523 to a similar effect.[3] He is said to have been ambassador to France in 1535, but it was Sir Thomas Erskine of Brechin who filled that post. When King James v. sailed on his expedition to the Isles in 1540, he appointed Lord Erskine one of the guardians to his infant son James,[4] and in 1542 the young Queen of Scots was placed under his charge.[5] Lord Erskine continued to hold the keepership of Stirling Castle until his death, and he had also the custody of the Castle of Edinburgh.[6] He is usually said to have died in 1552, but he was a party to the marriage-contract, on 16 January 1554-55, of his son Alexander, and he was apparently alive on 11 July 1555, when his son John was still Commendator of Dryburgh,[7] but he died between that date and the following November, when his son had sasine of his lands.[8] He is said to have married Margaret, eldest daughter of Archibald, second Earl of Argyll,[9] and they had issue:—

1. Robert, Master of Erskine, who had a charter of the lands of Kellie in Aberdeenshire on his father's resignation 20 May 1536, and also of the lands of Sheirgarten and others 23 February 1541-42.[10] He was taken prisoner at Solway 24 November 1542, but

[1] Rymer's *Fœdera*, xiii. 509. [2] *Exch. Rolls*, xiv. 349, 458; xv. 90. [3] Mar and Kellie Papers (*Hist. Com.*), 11-14. The Act referred to is not printed in *Acta Parl. Scot.* [4] Mar and Kellie Papers, 15. [5] *Acta Parl. Scot.*, ii. 414. [6] Mar and Kellie Papers, 17. [7] *Reg. of Deeds*, i. 44b, 165b. [8] Cf. *Exch. Rolls*, xviii. 593-595. [9] Douglas, both editions, and Sir George Mackenzie's Genealogies; but a family pedigree of date 1709 (Mar Peerage Minutes, 516) gives Lord Erskine's wife as Elizabeth, second daughter of the Earl of Argyll. No evidence has been discovered to decide the point. [10] *Reg. Mag. Sig.*, at dates.

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was soon ransomed. He was killed at the battle of Pinkie 10 September 1547, without lawful issue by his wife Margaret Graham, eldest daughter of William, second Earl of Montrose.[1] He had, by a Mrs. Jean Home, a natural son *David*, who became Abbot of Inchmahome and Dryburgh.[2]

2. *Thomas*, Master of Erskine after his brother's death. Before that date, from 1541 onwards to 1547, he held the office of Abbot or Commendator of Dryburgh.[3] He concluded a treaty with England in June 1551.[4] He had sasine, on 7 October 1551, as Sir Thomas, Master of Erskine, of the lands of Brotherstanes, co. Berwick, sold to him by Sir John Home of Coldenknowes.[5] He seems to have died soon afterwards, or at least before his father. He married (contract 30 January 1548-49[6]) Margaret, daughter of Malcolm, third Lord Fleming, and widow of Robert, Lord Graham, who fell at Pinkie, but by her had no issue. He had a natural son *Adam*, Commendator of Cambuskenneth, and a daughter (by a Jonet Abernethy) *Elizabeth*, married (contract 29 January 1562-63) to Robert Graham of Gartmore, brother of John, Earl of Menteith.[7]
3. JOHN, sixth Lord Erskine, of whom later.
4. *Sir Alexander* Erskine of Gogar, ancestor of the Earls of Kellie. (*See that title*.)
5. *Arthur* Erskine of Blackgrange, referred to as brother of John, Lord Erskine, and Alexander Erskine, in December 1557.[8] He was, it is said, Queen Mary's favourite equerry, and was in personal attendance on her the night Rizzio was murdered. He married, (contract dated 7 January 1561-62) Magdalen Livingstone, daughter of Alexander, fifth Lord Livingstone (*see title* Linlithgow), and died without issue before

[1] *Reg. Mag. Sig.* at dates. [2] *Liber de Dryburgh*, Pref. xxv-xxx, where a notice of his wife and family is given; *Red Book of Menteith*, ii. 335-368. [3] *Reg. Mag. Sig.*, 31 March 1541; *Reg. de Dryburgh*, xxiii. [4] *Cal. Scot. Papers*, i. 182. [5] Protocol Book of William Corbet, 82b. [6] *Acta Dom. Conc. et Sess.*, xxv. 78. [7] *Reg. of Deeds*, vi. f 17. This writ shows that Janet Abernethy was then the wife of John Logy. Cf. also *Reg. Mag. Sig.*, 30 April 1574. [8] Protocol Book of James Nicolson, 52.

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January 1570-71,[1] when his brother Alexander was his heir.

6. *Catherine*, contracted in marriage, on 25 June 1518, to John Murray of Touchadam, with 650 merks of tocher.[2] But this did not take effect, and she was married (contract dated 20 November 1525) to Alexander, second Lord Elphinstone, with 1300 merks of tocher.[3]
7. *Margaret*, named in the contract of her sister Catherine in 1518, cited above. She was contracted on 11 July 1527,[4] to Robert Douglas of Lochleven, and married him, but became the mother, about 1531, by King James v., of James Stewart, afterwards the Regent Moray. She was living as the wife of Douglas in 1540.[5] She died 5 May 1572.[6]
8. *Janet*, married (contract dated 1 September 1532)[7] to John Murray of Touchadam, ancestor of the Polmaise family.
9. *Elizabeth*, who was married to Walter Seton of Touch of Tullibody,[8] is said to have been a daughter of this Lord Erskine.[9]

Lord Erskine had apparently another daughter *Margaret*, married, before August 1526, to George Home of Lundies, with a tocher of 400 merks. So runs a memorandum on the contract of 25 June 1518, above cited, where she is identified with the Margaret there named, but it seems probable she was another daughter, perhaps illegitimate. She and her husband were both alive on 25 March 1556.[10]

VI. JOHN, sixth Lord Erskine, before his accession to the estates held the ecclesiastical offices of Abbot of Dryburgh and Commendator of Inchmahome, with, it would appear, the Commendatorship of Cambuskenneth.[11] He held the first two in 1548, and in the appointment of his nephew David to Inchmahome in 1556 he is referred to as a cleric, which suggests that he was destined for the Church, and probably took minor orders, but the death of his elder

[1] *Reg. of Deeds*, viii. 486; xi. 316. [2] Mar and Kellie Papers, 8. [3] *The Lords Elphinstone*, by Fraser, i. 77-79. [4] Harleian MS., No. 6435. [5] *Reg. Mag. Sig.*, 20 January 1540-41. [6] Harleian MS., No. 6441. [7] Mar and Kellie Papers, 9; *Reg. Mag. Sig.*, 9 June 1541. [8] *Reg. Mag. Sig.*, 6 June 1545. [9] *The Family of Seton*, i. 340. [10] *Reg. Mag. Sig.*, at date; cf. also 28 August 1526. [11] *Liber de Dryburgh*, Pref. xxiv, xxv; *Red Book of Menteith*, ii. 333-336; *Cartulary of Cambuskenneth*, Pref. xcvii.

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brothers called him to a secular life. After his succession he resigned his preferments, which were given to other members of his family. He succeeded between July and November 1555 to the title and estates, but for a time took no great part in public affairs. In 1559, in the beginnings of the dispute between the Queen-Dowager and the Lords of the Congregation, he, then Keeper of Edinburgh Castle, maintained a neutrality to both parties, while friendly to both. He received the Queen-Dowager into the castle in her last sickness, and she died there on 11 June 1560. He was accused of being a Papist and of being corrupted by the Queen-Regent, but after her death he, with Lord James Stewart and others, joined the Protestants.[1] He was a member of the Council after Queen Mary's return to Scotland. Later, in 1564, on the question of the Queen's marriage, Lord Erskine expressed his desire that she should marry an Englishman. He was not partial to the Lennox family. In May of the following year, 1565, Lord Erskine was served nearest and lawful heir to Robert, Earl of Mar and Garioch, Lord Erskine, his direct ancestor.[2] This was a formal preparation for a coming honour, as Randolph, writing on 11 May to Cecil about the Queen's intended marriage with Darnley, says, 'It is spoken that some other shall be called to greater honour, as the . . . Lord Erskine Earl of Marre, which he claims by succession.'[3] On 23 June 1565 Queen Mary granted to him the EARLDOM OF MAR, comprehending Strathdon, Braemar, Cromar, and Strathdee, also the lands of the lordship of Garioch, to be held of the Queen in free earldom, fee, and heritage. This she did because Lord Erskine, as heir to Robert, Lord Erskine, had the undoubted hereditary right of the earldom, notwithstanding that his predecessors had been kept back from possession of the same, and because, in addition to his services to the Crown, she was moved by conscience to restore the heirs to their just inheritance.[4] A precept of sasine was issued of same date, and infeftment was duly given in the lordship and regality of Garioch on 24 July 1565.[5] He sat as Lord Erskine for the last time on 28

[1] *Cal. Scot. Papers*, i. *passim*. [2] Minutes of Mar Evidence, 121. [3] *Cal. Scot. Papers*, ii. 157. [4] Mar Minutes, 121. [5] *Ibid.*, 390; the instrument of sasine for the earldom of Mar is not now known to exist.

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July and as Earl of Mar for the first time on 1 August 1565.[1] The Queen's marriage with Darnley took place between these dates, on Sunday 29 July. Randolph, writing to the Earl of Leicester on 31 July a long account of the ceremonies and festivities, refers in a postscript to Lord Erskine: 'Two thinges I have allmost forgotten, th'one was, to honor the feaste the L. Earsken was made Earle of Marre and manie made knyhtis that never showede any greate token of their vassallage.'[2] Another note to the same effect is made by another writer of the period, who after recording the Queen's marriage, adds: 'That day, 29 July 1565, John, Lord Erskine created Earl Mar.'[3]

The Earl did not enter on his earldom without opposition, although, on 9 August 1565, royal letters were issued charging the tenants and occupiers of the lands of the earldom to make payment of their rents and duties to the new overlord.[4] The first token of later difficulties is expressed in a mandate of Queen Mary requiring the Lords of Exchequer to give effect to her grant of the earldom of Mar to John, Lord Erskine, upon whom she had conferred not only because of his undoubted right and descent from the ancient heritors, but also in return for his discharging a liferent he had of the lands and lordship of Menteith. Notwithstanding this he had been frustrated with regard to the rents of the said earldom, especially of the lands of Wardres through their being assigned to certain trumpeters. The Queen directs that these should be provided for from other lands, and that no part of the said earldom and lordship of Garioch and Kintore should be infringed upon.[5] The Queen's grant of the earldom and other gifts to Lord Mar were ratified by the Scots Parliament on 19 April 1567.[6]

[1] *P. C. Reg.*, i. 344-346. [2] Mar Minutes, 87. [3] The full entry is: '29 July 1565. In the chapel royal of Holyrood House, Mr. John Sinclair, Dean of Restalrig, and President of the Session, married the Queen to Henry, Duke of Albany. That day,' etc.; MS. in Adv. Lib., 34.6.24, containing (pp. 198 *et seq.*) extracts 'out of a Heraulds MS. John Blinsele, Ilay Herauld.' The entries record the creating of Henry Stuart Earl of Ross and Duke of Albany, the birth and baptism of James VI., the death of Darnley, and other events between 15 May 1565 and 1600 or later, especially creations of knights and peers. John Blinsele was Bute Pursuivant in 1590 and Ilay Herald in 1596. [4] Mar Minutes, No. 450. [5] Mar and Kellie Papers, 16. The writ is not dated, but seems to be granted in 1566. [6] *Acta Parl. Scot.*, ii. 549.

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On 19 March 1566-67 the Earl was relieved of his charge of Edinburgh Castle, and was honourably discharged from that office. A few days later he, as Captain of Stirling Castle, was trusted with the care of the young Prince James, who was to be 'nurist and upbrocht' under the Earl's tuition.[1] To this duty Mar adhered with much devotion, and his career from this point is interwoven with the history of Scotland. He guarded the young King through the troublous times of the first two Regents, the Earls of Moray and Lennox, and after the murder of the latter he was himself chosen Regent on 5 September 1571, an appointment which gave general satisfaction.[2] His Regency however, was comparatively uneventful, the chief incidents being the delivering up to Elizabeth of the rebel Earl of Northumberland, to which Mar was opposed, and the proposals to send Queen Mary back to Scotland, to be dealt with under Scottish law, which meant her death. Whatever opinion Mar held on this point is not clear, as he died while the negotiations were pending, and they were never resumed. He died on 28 October 1572,[3] having made his will at Stirling on 9 August 1568. He desired to be buried at Alloa, and also that the remains of his ancestors interred at Cambuskenneth should be brought to Alloa. He appointed his wife to be tutrix to his two children, and to pay his creditors and help his servants.[4] He married, about 29 January 1556-57,[5] Annabella, daughter of William Murray of Tullibardine, who survived him until February 1602-3.[6] By her he had issue:—

1. JOHN, Earl of Mar.
2. *Mary*, married, 13 June 1573, to Archibald, eighth Earl of Angus.[7] Part of her tocher, which in all was 8000 merks Scots, was paid on 1 May 1573.[8]

VII. JOHN, who succeeded as Earl of Mar and Lord Erskine, was perhaps the most prominent of his family, and remarkable in his long friendship with King James VI.

[1] Mar and Kellie Papers, 16, 17. A long list (*ibid.*, 18-21) is given of the attendants and household of the young King on 10 March 1567-68. [2] *Acta Parl. Scot.*, iii. 65; cf. *Cal. Scot. Papers*, iv., Letters from Queen Elizabeth. [3] *Ibid.*, iv. 429. It is not clear whether he died at Stirling or Leith. [4] Mar Minutes, No. 451. [5] *Reg. Mag. Sig.* [6] Edin. Tests., 5 August 1609. [7] Vol. i. 196. [8] Mar and Kellie Papers, 30, 31.

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He appears also as a man of much common-sense and with a good grip of affairs. He is believed to have been born in 1562,[1] and was therefore a few years older than King James VI., with whom he was educated, and who had ever a strong affection and regard for him. The well-known epithet applied by the King to the Earl[2] of 'John Slates,' or, 'John Slaitis,' is said by a family genealogist to have been given because, when boys together playing at some game, the King alleged the Earl had 'slaited' him ('which is ane old Scots word signifying he had outwitted him'), and ever after gave him the sobriquet.[3] On 3 March 1572 he was, by a jury sitting at Stirling, retoured heir to his father in the lands and barony of Alloa, co. Clackmannan, and also in the whole earldom of Mar, including Strathdon, Braemar, Cromar, and Strathdee.[4] He was then under age, and his first prominent appearance in public life was later, being the forcible seizure of Stirling Castle from his uncle Alexander, who had held it since 1572. He did this on 26 April 1578, it is said, at the instigation of the Regent Morton. He was, however, formally made Captain of the castle, which he kept faithfully, though he fell for a time under the severe displeasure of the King by joining the party of Morton and Angus, and afterwards of the Ruthven Raiders. In the end of 1583 he had licence to go abroad for three (or five) years with provision to his son in case of his death.[5] When he and the other banished lords returned to Scotland in 1585, Mar was made a Privy Councillor, and was reappointed Keeper of Stirling Castle.[6] From this time his career is to be traced in the public history and records of Scotland, and is too long to detail, but a few items of personal history may be dwelt upon.

In 1592, and again in 1595, he was a candidate for the office of Lord Chancellor in succession to Lord Thirlestane, but the Earl of Montrose was appointed.[7] Mar, however, had a most important charge conferred upon him, the care

[1] Mar Minutes, 517. Douglas and others say he was born in 1558, and make him about seventy-seven at his death, but no proof is given. [2] Instances of its use will be found in Mar and Kellie Papers, 37. [3] Mar Minutes, 517. The interpretation 'to outwit' is not one of those usually given to the verb 'to slait.' [4] Mar Minutes, 127, 128. [5] Mar and Kellie Papers, 36. [6] *P. C. Reg.*, iv. 36 *n*. See an interesting account of the dealings with Mar in 1581-82, and his surrender of Stirling Castle, Mar and Kellie Papers, 33-36. [7] *P. C. Reg.*, v. 15 *n*., 516.

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of the infant Prince Henry, an office intrusted to him with special instructions from King James himself. The appointment led to quarrels and intrigues at court, but the King firmly resisted all efforts by the Queen and others to withdraw the Prince from Mar's custody.[1] In February 1601 he was one of two ambassadors sent to England on a most important mission, to press upon the English Parliament the claim of King James to the English crown. They returned in the following May and were honourably discharged.[2] It is said that Queen Elizabeth received the Earl very graciously, and among other things presented him with 'a very fine bason and laver of mother of pearle with severall rubies and pearles set thairin.'[3] In May 1603, after the King's departure to England, the Queen made another determined effort to obtain the custody of Prince Henry, and to embroil Mar with his master, but without success. At the King's request, however, the Prince was delivered to the Duke of Lennox to be taken to England, while the Earl and his family received special thanks for their services.[4] Mar soon followed his master to England, and was, on 25 June 1603, elected a Knight of the Garter, and installed on 9 July.[5] On 13 September 1603 he received a royal grant conferring on him the rights and privileges of a subject of England, to himself and his heirs.[6] English air, however, was prejudicial to his health, as appears from a will he made in April 1608 at Stirling, on the eve of his departure for England to attend the King, where he has been several times visited with great sickness, to the danger of his life.[7] In 1605 King Henry IV. of France wrote to the Earl beseeching his good offices in the preservation of friendship with King James, and sent Mar a jewel valued at 15,000 livres.[8] In 1606 the abbacies of Dryburgh and Cambuskenneth and the priory of Inchmahome were erected in his favour into the lordship of Cardross, a grant repeated

[1] *P. C. Reg.*, 280, 281. The arrangements as to Prince Henry in February 1593-94 are detailed (Mar and Kellie Papers, 39-44). [2] Calderwood's *History*, vi. 102; *P. C. Reg.*, vi. 331; Mar and Kellie Papers, 47-49. [3] Mar Peerage Evidence, 517. [4] Calderwood, vi. 230, 231; *P. C. Reg.*, vi. 577; a graphic account of the attempt and failure was written by Thomas Hamilton, afterwards Earl of Haddington; *Haddington Book*, ii. 209, etc.; cf. Mar and Kellie Papers, pref. ix, x, 51. [5] *The Knights of England*, by Wm. A. Shaw, i. 30. [6] Mar Minutes, 139. [7] Mar and Kellie Papers, 59. [8] *Ibid.*, 52; Mar Evidence, 517.

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to his son; and on 10 June 1610 he was created LORD CARDROSS, the charter containing powers by which he assigned the dignity in favour of his son Henry and his heirs.[1] In 1609 King James applied to his old and reliable friend for help and advice in the difficult affair of the Marquess of Huntly and the Earl of Erroll, who were still suspected of papist leanings and intrigues.[2] On 9 December 1616 the Earl received an appointment under the Great Seal as High Treasurer of Scotland, and eight days later was formally invested with the white rod.[3]

His correspondence with the King thenceforth deals almost entirely with the finances of the kingdom, which were not in a too flourishing state, but in one letter, in October 1621, the King asks his Treasurer to send fir seed and young firs to the Marquess of Buckingham, who wished to have fir trees planted about his house at Burleigh-on-the-Hill, where 4000 or 5000 plants were to be sent, with instructions.[4]

The King's death in March 1625 brought changes in the government of Scotland, and the Earl's place was specially affected by what was called a Commission of Exchequer, a body which much abridged his office of Treasurer. So much did he feel the new proposal that he addressed a letter of remonstrance to the young King. In January 1625-26 he and others of the Scottish Privy Council had a long and important interview with King Charles, when the differences between them were discussed, and in this Mar played a straightforward part, although the meeting did not change the King's policy. Mar continued the same steady course in his later dealings with the King, though increasing years and troublesome subordinates made his way difficult. He demitted his office in March 1630, and the Earl of Morton was appointed his successor,[5] although Mar continued to take interest in public affairs until his death a few years later.

A few words may be devoted to the great private purpose to which this Earl, apart from his public duties, bent all his energies, the recovery of the actual possession of the earl-

[1] *Acta Parl. Scot.*, iv. 343; v. 547. See also title Cardross. [2] Mar and Kellie Papers, 60-63; cf. 67. [3] *Reg. Mag. Sig.*, at date, and Crawford's *Officers of State*, 404, where, however, the year 1615 is wrongly given. [4] Mar and Kellie Papers, 103. [5] *Ibid.*, 173.

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dom of Mar granted to his father. The earldom during its being in the hands of the Crown had been granted to other owners against whom the Earl now directed the force of law to compel restitution. His first step, apart from the usual service after his father's death, already cited, was to obtain from Parliament an Act in his favour setting forth his rights and claims, ratifying these and guarding them against being lost by prescription.[1] Various formal protests were made, which showed that the importance of the Act was recognised.[2] He next, before a special jury, was served heir-general to Isabel, Countess of Mar, on 20 March 1588-89, thus establishing his right as her heir of blood. This was followed by sasine on 7 November 1589.[3] The first action the Earl brought to enforce his legal rights was in 1593 against William Forbes of Corse, to whose ancestor the lands of Oneil, Corse, Kincraigie, Muretoun, and others had been granted in 1482 by King James III., which grant the Earl sought to reduce. He did not press the action seriously at first, but revived the process in 1620, and had a decree in his favour on 23 June 1621.[4]

The Earl then turned his attention to Lord Elphinstone, whose ancestor had received grants of the lands, lordship, and barony of Kildrummie, with the castle which was the chief messuage of Mar, with numerous other lands, under various charters by King James IV., which the Earl now desired to be reduced. This action affected not only the possession by the Elphinstones but also the right of King James IV. to grant away the lands, involving also the question of King James I. and King James II., their right to grant charters of the earldom in 1426, and later. It affected also the validity of the retour of Sir Robert Erskine in 1438, and of the charters of 12 August and 9 December 1404 and 21 January 1404-5 to Isabel Douglas, Countess of Mar, and her husband, all already cited. The progress of the action need not be detailed, but the decision of the Court was in favour of Mar upon all the points contested, and was of very great importance. Taking them in order of date, the charter of 12 August 1404, granting the earldom to Alexander Stewart and his

[1] 29 July 1587, *Acta Parl. Scot.*, iii. 475. [2] *Ibid.*, 476, 477. [3] Mar Minutes, 394; cf. 453, 463. [4] *Ibid.*, No. 452.

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heirs, was declared invalid, as it was never confirmed; the charter of 9 December 1404 was upheld with its confirming charter of 21 January 1404-5, conveying the earldom finally to the heirs of Isabel Douglas; the charter granted by King James I. on 28 May 1426 to Alexander Stewart, Earl of Mar, and his son Thomas, and also the Act of Parliament in 1445, were reduced and rescinded, as there was never any true right of property in King James I., and therefore such could not pass to his son. The title of Lord Elphinstone was thus imperfect, as it was derived from King James IV., who had no power to grant charters of the earldom, as the undoubted right of the lands remained in Isabel, Countess of Mar.[1] The service of 1457 was declared null, as it rested only on fictitious grounds, while the retour of 1438 declaring Sir Robert Erskine to be the nearest and lawful heir of the Countess was valid, and was supported by the Act of Parliament of 1587. By another interlocutor the right of King James VI. to appear as a defender was declared to be barred.[2] This decree was followed by an agreement, in which Lord Elphinstone and his family, on receiving the sum of 48,000 merks Scots, bound themselves to resign and give up the lands to Lord Mar.[3] The Earl was finally put in possession by another action raised against the feuars of the land, but the result was not declared in his lifetime.

He died on 14 December 1634,[4] but his funeral apparently did not take place till April 1635, at Stirling.[5] His last will is dated at Stirling 1 March 1634, in which he nominates Mary Stewart, his Countess, as tutrix to their youngest son William, and he appoints his grandson John Erskine, afterwards Earl of Mar, as his executor. He made a special legacy to his wife 'in contentation' of her third of his moveables, the 'jewell of diamonds' which he had received from the King of France, and which he gave to her with his own hand.[6] He concludes his testament with a special injunction to his eldest son to care for his stepmother and his brothers and sisters, especially the 'lytell

[1] Mar Evidence, No. 282, 1 July 1626. [2] *Ibid.*, No. 445, 26 July 1625. [3] *Ibid.*, No. 145. [4] List of Knights of the Garter, *The Knights of England*, by William A. Shaw, i. 30; cf. Testament as cited. [5] Mar and Kellie Papers, 194. [6] Further references to the 'Great jowell,' as it was called, will be found in *Fourth Rep. Hist. MSS. Com.*, App. 527.

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ons wha can [nocht] do for thamselffis.' He also commends his family to the protection of King Charles. His personal estate, deducting debts, amounted to £75,971, 17s. 6d. Scots.[1]

John, Earl of Mar, married, first, Anna or Agnes Drummond, second daughter of David, Lord Drummond.[2] The contract of marriage was dated 27 July 1580, and the marriage took place at Kincardine between 29 October and 1 November same year.[3] The date of her death is not certain, though she was alive in 1584,[4] but he married, secondly, on 7 December 1592,[5] Marie Stewart, second daughter of Esmé, first Duke of Lennox. She survived him, and made her will on 8 May 1644,[6] dying three days after that date.

By the first marriage he had issue only one son:—

1. JOHN, Earl of Mar.

By his second marriage he had:—

2. *James*, Earl of Buchan. (*See that title.*)
3. *Henry*. (*See title* Cardross.)
4. *Mr. Alexander*, who held for a time the temporalities of the abbacy of Cambuskenneth. He is said to have entered the Army and become a colonel of Horse. He certainly, in 1624, applied for service to the Prince of Orange. In the end of 1625 he was at the Court of the Princess Elizabeth, ex-Queen of Bohemia, then at the Hague.[7] He was one of the victims of the explosion at Dunglass Castle on 30 August 1640. He had issue a natural son *Alexander* by Anna Bothwell, daughter of the first Lord Holyroodhouse, born about April 1622. She died about April 1625,[8] and in September of that year he was paying addresses to one of the Princess Elizabeth's ladies-in-waiting named Croft,[9] but though he desired to marry her, no evidence has been found that he did so.
5. *Sir Arthur* Erskine. He married, 25 June 1628,[10] Mar-

[1] Stirling Tests., 19 August 1635. [2] Mar Minutes, 517. [3] *Reg. of Deeds*, xviii. (2) f. 59; *P. R. Hornings, Perth*, i., 11 December 1580; Calderwood's *History*, iii. 479. [4] *Acta Parl. Scot.*, iii. 344. [5] Hatfield MSS., iv. 252, letter to Archibald Douglas 22 December 1592. [6] *Fourth Rep. Hist. MSS. Com.*, App. 527. [7] Mar and Kellie Papers, 122, 124, 176-178. [8] Vol. iv. of this work, 433. [9] Mar and Kellie Papers, 178; *Fourth Rep. Hist. MSS. Com.*, App. 527. [10] Canongate Reg.

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garet, eldest daughter of Sir John Buchanan of Scotscraig. He made his will on 17 October 1646, on the eve of going to England on the public service, and was killed at Worcester 3 September 1651.[1] He had issue *John*, who was served heir to him 5 October 1652, and *William*, a minor at his father's death.[2]

6. *Sir John* Erskine, who married (contract dated 1640[3]) Margaret Inglis, eldest daughter and co-heiress of William Inglis of Otterstoun, in Fife, and had issue. He died before 1668.[4]
7. *Sir Charles* Erskine, died 8 July 1663, leaving issue, and was the ancestor of the Erskines of Alva. He married, first (contract 10 January 1639[5]), Mary, third daughter of Sir Thomas Hope of Craighall; secondly, Helen, daughter of Sir James Skene of Curriehill, and widow of Sir Robert Bruce of Broomhall.[6] She survived him and was married to her third husband in 1666, Sir James Dundas of Arniston.
8. *Mr. William*, a minor at his father's death. He was Cupbearer to King Charles I., became Master of the Charterhouse, and died unmarried.
9. *Mary*, named in an Act of Parliament of 1599 bestowing a special gift on her in token of her grandmother's services to the Prince;[7] married (contract 12 October 1609) to William, Master of Marischal,[8] afterwards sixth Earl Marischal, and had issue.
10. *Anna*, married (contract dated 10, 21, and 28 December 1614[9]) to John, sixth Earl of Rothes, and had issue.
11. *Margaret*, married to John, second Earl of Kinghorn, and died without surviving issue.
12. *Annabella*, referred to in the Earl's will of 1608 as his fourth daughter, but she probably died young.
13. *Catherine*, married (contract 27 February 1622) to Thomas, second Earl of Haddington. (*See that title.*)

[1] *Reg. Privy Seal*, i. 140. [2] *Reg. Mag. Sig.*, 8 September 1641; Edin. Tests., 26 August 1652, 16 February 1653, etc. [3] *Deeds* (Durie), 26 April 1671. [4] *Gen. Reg. Sas.*, xlviii. 180. [5] Edin. Tests., 25 September 1668. [6] See vol. iii. p. 488. [7] *Acta Parl. Scot.*, iv. 186, 243. [8] *Reg. Mag. Sig.*, 21 December 1609. [9] *Fourth Rep. Hist. MSS. Com.*, App. 502.

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VIII. JOHN, Earl of Mar, who succeeded, was apparently the only child of his father's first marriage with Anna Drummond. He is first referred to in the will made by his father on 1 April 1608, cited in the previous memoir. On 2 June 1610 he was made a Knight of the Bath, when Prince Henry was created Prince of Wales,[1] and during the later years of his father's life he acted as his agent at Court. In 1617 he was appointed a member of the Scots Privy Council, and as such interested himself in promoting a reform of the Scottish tanning trade. To encourage his efforts he had a patent of monopoly on 8 March 1620 for thirty-one years, giving him control of the leather trade in Scotland, for the purposes of reform. He imported English artificers to teach a better way of curing hides, and, to cover his expenses, was empowered to put a seal on all skins properly tanned. This patent cost him much trouble and no small expense, and in 1637 he was to be authorised to charge 'a groat' on every hide. His patent was, however, withdrawn in 1641, and he was ordered compensation.[2]

The Earl was served heir to his father, on 25 March 1635, in the earldom of Mar and his other lands, and was infeft in them on 11 May following, in terms of a royal precept of 25 April.[3] On the 26 March same year the Court of Session decided the action brought by his father against the feuars and landed proprietors within the earldom of Mar, and reduced all infeftments following upon the charter of 1426 by King James I. to Alexander Stewart, Earl of Mar, and his son, declaring the undoubted heritable right in the earldom to belong to Lord Mar, as heir of his late father, who was served heir to Isabel Douglas, Countess of Mar.[4] This decision restored the Earl of Mar to the position occupied by his ancestor, Sir Robert Erskine, in 1438. On 23 June 1638 he granted a procuratory of resignation of his whole lands to his son, Lord Erskine, his heirs-male and assignees, the son having undertaken to pay various debts to creditors.[5] In the same year he surrendered to King

[1] *The Knights of England*, i. 157. His name is erroneously given as James, and he is confused with his brother of that name. [2] *P. C. Reg.*, xii. xiii. etc., *passim*; *Acta Parl. Scot.*, v. 185, 411 *passim*; Mar and Kellie Papers, 195. [3] Mar Minutes, Nos. 147, 148, 149. [4] Mar Evidence, 671-691. [5] *Ibid.*, No. 150.

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Charles his heritable offices of the Sheriffship of Stirlingshire and Bailiary of that lordship and of the Water of Forth,[1] for which he is said to have received £8000. In the beginning of 1640 he fell under the King's displeasure, and was forbidden to attend the Privy Council,[2] but the sequel is not known, as the records are wanting at that date. In 1640 also he was called upon by the Committee of Estates to muster his vassals and men for defence of the country.[3] The Earl, and certainly his son, joined Montrose, but they appear to have done so under compulsion, a plea which was urged by Lieut.-General David Leslie before the Committee of Estates in 1646. He pleaded for leniency to the Earl, who had suffered from both sides, and who had begun to free his estate from the great burdens, to add a fine to which would almost ruin him. The Committee also desired to place a garrison in his castle of Kildrummy, a proposal which was strongly objected to by the Earl's vassals in the neighbourhood, and General David Leslie promised to prevent such if possible.[4] The date of this Earl's death is not certain, some authorities stating he died in 1654, others alleging 1653. There are indications which suggest he died between January and October 1653.[5] The family genealogist of 1709 asserts that he became blind before his death.[6]

This Earl of Mar married, 6 February 1610, Jean Hay, second daughter of Francis, ninth Earl of Erroll.[7] She survived him, made her will at Alloa on 6, and died on 24, May 1668.[8] They had issue:—

1. John, who succeeded as Earl of Mar.
2. *Sir Francis*, who died unmarried in 1662.[9]
3. *Elizabeth*, married to Archibald, Master of Napier, afterwards second Lord. She was for a time warded in Edinburgh Castle, but was liberated in August 1645, when the plague visited Edinburgh, her father giving caution for her of 20,000 merks.[10] She had issue.

[1] Mar and Kellie Papers, 195. [2] *Ibid.*, 196. [3] *Ibid.*, 197. [4] *Ibid.*, 205. [5] *Reg. Mag. Sig.*, x., cf. Nos. 81 and 179. [6] Mar Minutes, 518; *Masterton Papers*, Scot. Hist. Soc. [7] Vol. iii. 577. [8] Stirling Tests., 25 September 1668. Douglas and the *Complete Peerage* inadvertently give her name as *Christian*. [9] Mar Minutes, 518. Douglas inserts a *William*, but no record of him has been found. [10] *Acta Parl. Scot.*, vi. (1) 445.

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4. *Mary*, who was her mother's executor, and who died unmarried.
5. *Annabella*, a natural daughter, married Robert Stewart of Culbeg.[1]

IX. John, Earl of Mar, is first mentioned in 1638, when his father resigned his lands in his favour. In November of that year he was present at the famous Glasgow Assembly, where, at a critical moment, he 'comforted' the meeting by professing, with tears, his grief that he had held aloof from the Covenant and from meetings, and entreated that he might be admitted to their Covenant and Society. He was received with joy.[2] In the following year he was with the Scottish army under Leslie on its march to England. He joined Montrose in 1644, and was present at Kilsyth and Philiphaugh. He had a 'pass' from General David Leslie in which it was declared that if he left the royalist faction before 14 November 1646, that is, within two months after Philiphaugh, he should not be 'troubled in his person,' but he was fined 24,000 merks, and obliged to find £40,000 caution for good behaviour.[3] In January 1651 he was ordered by King Charles II. and the Committee of Estates to proceed to raise a regiment of horse from the shires of Stirling, Clackmannan, and Dumbarton.[4] The Earl was present at the first Parliament after the Restoration, and carried the Sword at the opening ceremony.[5] He was by this Parliament reinstated in his office of Governor of the Castle of Stirling, of which he had been deprived by the Commonwealth.[6] He was also a member of the Parliament of 1663, at the close of which he carried the Crown.[7] He was at this time made a Justice of Peace and Commissioner of Supply, the last appointment being made on 23 January 1667.[8] He died in September 1668 at Alloa, and was buried on the 11 of that month.[9]

He married, first, in 1641, Elizabeth Scott, eldest daughter of Walter, first Earl of Buccleuch, by whom he had no surviving issue. She died before 23 July 1647.[10] He

[1] *Reg. Mag. Sig.*, 23 April 1623. [2] Baillie's *Letters and Journals*, i. 144. [3] Mar and Kellie Papers, 203. [4] *Ibid.*, 206. [5] Lamont's *Diary*, 130. [6] *Acta Parl. Scot.*, vii. 107. [7] Lamont's *Diary*, 163. [8] *Acta Parl. Scot.*, vii. 508, 545. [9] Lamont's *Diary*, 208. [10] *The Scotts of Buccleuch*, i. 267-269, where a full account of the contract is given, with notice of her portrait.

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married, secondly (contract 8 October 1647[1]), Jean (called also Mary) Mackenzie, eldest daughter of George, Earl of Seaforth, who is usually said to have died in 1668, but who survived her husband, and was married, secondly, to Andrew, third Lord Fraser.[2]

By his second marriage he had issue:—

1. Charles, who became Earl of Mar.
2. *George*, named in the charter to his brother of 1674, but not in that of 1677. He died at Muckall 21 June 1676.[3]
3. *Barbara*, married (contract and marriage 7 September 1670[4]) to James, second Marquess of Douglas, from whom she was separated, on account of incompatibility of temper, in 1681, and she died about 1690.[5]
4. *Mary*, married, 5 August 1673, to John, tenth Earl of Glencairn, and had issue. (*See that title.*)
5. *Sophia*, married, in 1676, to Alexander, third Lord Forbes of Pitsligo (*see that title*), with issue.

X. Charles, Earl of Mar, born, it is said, on 19 October 1650, succeeded in September, and had a grant of his father's escheat on 8 October 1668.[6] He had a sasine of his lands from certain creditors on 19 September 1670, and a Crown charter of the lands of the earldom on 25 March 1674 to him and the heirs-male of his body, whom failing, to George Erskine, his brother-german, and the heirs-male of his body.[7] He had another similar charter, on 1 June 1677, to himself and the heirs-male of his body, whom failing, to his heirs-male and heirs whomsoever successively, which was ratified by Parliament in 1685.[8] In 1670 also he was accorded the privilege of a fair and weekly market, to be held at Kildrummy. He was, in 1681, empowered to exact a small toll from passengers and goods passing over the bridge at Tullibody, which required serious repair, to which the money was to be devoted.[9] He had several appointments, and raised, and was in command of, a regiment, after-

[1] *Reg. Mag. Sig.*, x. 374. [2] Vol. iv. of this work, 118. Douglas, followed by the *Complete Peerage*, errs by making this lady die in 1668, confounding her apparently with Countess Jean Hay. See above. [3] *Fourth Rep. Hist. MSS. Com.*, 516. [4] Canongate Reg. [5] Vol. i. of this work, 208. [6] Mar Minutes, No. 153. [7] *Ibid.*, Nos. 154, 155. [8] *Ibid.*, No. 156; *Acta Parl. Scot.*, viii. 508. [9] *Ibid.*, 22, 364.

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wards known as the Scots Fusiliers. He was not a hearty supporter of King James VII. in his pro-Catholic policy, and in 1686 he voted against the Act for releasing the papists from the penal statutes against them, by which he lost favour with the King, and was deprived of his office as Keeper of Stirling Castle.[1] Toward the close of 1688 he was directed to proceed in arms against the Highlanders who were in rebellion, and from whom he suffered considerable loss, as they burned his castles of Kildrummy, Corgarf, and Braemar.[2] In 1689 he joined in welcoming King William to the throne, but did not long enjoy the blessings of the Revolution, which restored him to his offices, as he died, apparently with suddenness, on 23 May, or between the 22 and 24 May 1689.[3] He died without a will, and the inventory of his effects given up by a creditor is probably not complete. The sum amounts to £4807 Scots, of which £1063 is set down for silver plate, and £1052 for books and arms, the rest of his effects being chiefly horses.[4]

The Earl married (contract 2 April 1674), tocher 50,000 merks,[5] Mary Maule, only daughter of George, Earl of Panmure.[6] She survived him, and was married, secondly, on 29 April 1697, to Colonel John Erskine, Depute-Governor of Stirling Castle, son of Sir Charles Erskine of Alva.[7] The Earl had issue, with five other children who died young:—

1. JOHN, who became Earl of Mar.
2. *James*, who studied for the law, and was called to the bar 28 July 1705.[8] He was chief factor in Scotland for his brother the Earl while Secretary of State, who, on 4 October 1705, appointed him Principal Keeper of the Signet.[9] He was a strong Presbyterian, and was much esteemed by the clergy. He was raised to the Bench, as Lord Grange, on 18 October 1706,[10] took his seat 18 March 1707,[11] and

[1] Mar and Kellie Papers, 217-219; *Acta Parl. Scot.*, ix. 67. [2] Mar and Kellie Papers, 220, 222. [3] *Acta Parl. Scot.*, ix. 85; App. 37. The *Complete Peerage* (v. 236), following Douglas, inadvertently gives 23 *April* as the date of his death. [4] Testament dative confirmed 2 December 1692, recorded on or about 25 February 1696; Stirling Tests. [5] *Masterton Papers.* [6] *Reg. de Panmure*, ii. 340, 341. [7] Alloa Marriage Register. Douglas calls him Col. James. See *Scottish Antiquary*, i. 183. He died in 1737 (Dunblane Tests., 9 July 1741), and his wife is said to have been living on 16 March 1708. [8] Brunton and Haig, 484. [9] Mar and Kellie Papers, 236, 286. [10] Brunton and Haig, 484. [11] *Ibid.*

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received a commission as Lord Justice-Clerk on 22 July 1710.[1] He resigned his seat on the Bench in 1734, that he might enter Parliament, with a view to opposing Sir Robert Walpole's policy. He was chosen M.P. for Stirling in that year. He held for some time the office of Secretary to Frederick, Prince of Wales. He died in London, 24 January 1754, aged seventy-four.

Lord Grange married (date uncertain) Rachel, daughter of John Chiesly of Dalry, and sister of Major Walter Chiesly of Dalry. Her father killed Sir George Lockhart, President of the Court of Session, in 1689, and Lady Grange is said to have inherited his violent temper. Be this as it may, after the marriage had subsisted for some years dissensions appear to have taken place between the spouses. Both sides tell their own story, but Lord Grange took the very unusual course of causing his wife to be abducted, it is believed because she threatened to reveal Jacobite secrets, and in 1730 she was seized, carried off, and imprisoned for two years in the isle of Heiskar, near North Uist. Thence she was removed to St. Kilda, where she remained seven years. Then some friends exerted themselves to procure her release, but their efforts were frustrated, and she was again removed, to the island of Skye, where she died at Idragil in June 1749, though it is said her husband celebrated her funeral in 1732.

Lord Grange had issue:—

(1) *Charles*, born 27 August 1709; was retoured heir-general to his father on 3 June 1755,[2] and was then a captain in the Army; rose to the rank of lieut.-colonel, apparently on the Irish establishment. He had retired on major's half-pay some time before his death. He died, without issue, at Edinburgh, on 1 December 1776, leaving effects valued at about £273 sterling.[3] He is said by Douglas to have been unmarried, but he left a widow, Agnes Syme, who died before 16 October 1783.[4]

(2) *John*, born 28 March 1711, died young.

(3) JAMES, who carried on the line of the family.

(4) *Francis*, born 1716, died young.

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[1] Mar and Kellie Papers, 487. [2] Mar Minutes, No. 162. [3] Edin. Tests., 19 June 1777; Mar Minutes, No. 163. [4] Edin. Tests., 16 October 1783.

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(5) *John*, born 1720; became a clergyman in Ireland, and was Dean of Cork.

(6) *Mary*, born 5 July 1714; married (contract dated 21 August 1729), with a tocher of £1000 sterling, to John, third Earl of Kintore;[1] died, without issue, at Edinburgh, 19 February 1772.

(7) *Jean*, born 5 December 1717. She is said to have died unmarried, but she seems to have been married to a Mr. Cox (of whom nothing has been ascertained), and had issue a daughter, who, with her descendants, was expressly debarred, in 1780, from succeeding to the earldom and entailed estate of Mar.[2]

(8) *Rachel*, born 28 January 1719; died, unmarried, at Edinburgh, 20 June 1793.

3. *Mr. Henry*, or Harry Erskine, born 11 September 1682, who entered the army and served as captain in the Royal Scots Fusiliers under Marlborough in the Low Countries about 1702; in 1705 he purposed to return to Scotland. In 1706 he was named lieutenant-colonel of Lord Mark Kerr's regiment, and sailed to Lisbon for the campaign against Spain. He commanded the regiment at the battle of Almanza on 14 April 1707, where he was killed.[3] He is not known to have been married.

4. *Jean*, married, at Twickenham, 21 February 1712, to Sir Hugh Paterson of Bannockburn, Bart., and had issue. She died at Bannockburn 16 November 1763, survived by her husband, who died at Touch 23 March 1777.

XI. John, Earl of Mar, who succeeded in May 1689, is the member of his family who is best known to history, chiefly on account of his part in the Jacobite rising of 1715. He had a Crown charter of the lands of the earldom of Mar on 10 March 1698-99,[4] but he had already entered into public life, as he was present in Parliament in 1696. He adhered to King William, but his doings at this period are not specially recorded, and had no remarkable significance. His correspondence during King William's reign and that of Queen Anne shows no signs of Jacobite leanings. In January 1703 he was in London, and then reports the project of the

[1] Mar Minutes, No. 161. [2] *Ibid.*, 294, 307. [3] Dalton's *Army Lists*, v. 80, 81, 225; vi. 372; Mar and Kellie Papers, 224, 225, 239, 295, 396. [4] Mar Minutes, No. 157.

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Union to be progressing, though slowly.[1] This refers to the proposals then being discussed by the first commission on the Union. In 1705 he did much to smooth the passage through the Scottish Parliament of what he calls 'the Treatie,' though it was really a preliminary Act, which he takes credit for, and as a reward he was, in September 1705, appointed Secretary of State for Scotland, in place of the Marquess of Annandale.[2] The actings of the Commissioners for union of the kingdoms, just appointed in October 1702, had been adjourned indefinitely in February 1703, but in March 1706 new commissioners were named, of whom Mar was one, and they sat until the formal treaty was completed in July 1706. He was made a Knight of the Order of the Thistle on 10 August same year.[3] The Scottish Parliament met in October, and it was Mar's chief charge to carry through the final Act of Union against the varied opposition arrayed against the measure. His story of the last Parliament of Scotland is told in his letters to Sir David Nairn and others in London between October 1706 and March 1707.[4] His almost daily narratives are extremely interesting, touching both upon the procedure and debates within the Parliament and upon the feelings of the populace outside, but all that is too historical to be dealt with here.

The Earl was one of the sixteen Representative Peers chosen for Scotland by the Parliament of 1707, and he was constantly re-elected during Queen Anne's reign. He was continued in his office of Secretary of State, and he was made a member of the Privy Council. He managed the affairs of Scotland during the greater part of Queen Anne's reign, but was sorely tried by what appeared to be the unsatisfactory result of the Union. On the accession of King George I. Mar was dismissed from office, the King refused to see him, and deprived him of his office of Governor of Stirling Castle. These and other grievances caused the Earl to take a desperate and fatal step, and he threw himself heart and soul into the Jacobite cause. His *quasi* defeat at Sheriffmuir on 13 November 1715 is well known,

[1] Mar and Kellie Papers, 227. [2] *Ibid.*, 235; *Acta Parl. Scot.*, xi. 238, 304. [3] *The Knights of England*, i. 76; Mar and Kellie Papers, 272. [4] Mar and Kellie Papers, 280-385; cf. preface, xxiv, xxv.

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but he kept enough of his troops together to secure the landing of King James at Peterhead. He had the dignity of Duke, with various minor titles, conferred upon him, but it was an empty honour, and he was obliged to go abroad with his master, when he was attainted,[1] and all his estates were forfeited. On 10 November 1717 he was again created Earl of Mar [E.], and finally, on 13 December 1722, Duke of Mar [I.].[2]

He served the exiled Stewart for some years, having the chief direction of his affairs at Rome, but in 1721 he left that city, and after an interval took up residence as Jacobite minister at the French Court. From this he was discharged in 1724, and forsook the party of the Stewarts in 1725, being accused of treachery, of which, however, there is not sufficient proof, though he had accepted a pension from the British Government. He also negotiated for a pardon, but that was refused, and he was not allowed to return to Scotland. In 1729 he left Paris and went to Aix la Chapelle, on account of ill-health, and died there in May 1732. He appears to have been somewhat deformed in person, as he is said to be called the 'croucked backed count,' but according to a contemporary he had an insinuating and courteous deportment, while his conduct in regard to affairs showed him 'to be a man of good sense, but bad morals.' He was popularly known as 'Bobbing John.' The Earl's true tastes, however, were neither political nor military, but lay in the direction of gardening and architecture. He first introduced the wilderness way of planting,[3] and the gardens at Alloa laid out by him were long visited and admired. It is also said that during his exile he amused himself by drawing or proposing plans for the improvement of Scottish architecture, among others one for reconstructing Edinburgh, containing various suggestions which have since been carried out. He further proposed a canal between Forth and Clyde, a project also realised.

This Earl of Mar married, first, at Twickenham, 6 April 1703, Margaret, eldest daughter of Thomas Hay, Earl of Kinnoull. She died 25 April 1707, in her twenty-first year,

[1] On 19 January 1715-16; Mar Minutes, No. 169. [2] *Jacobite Peerages* by Ruvigny. [3] Fraser's *Earls of Haddington*, i. 243.

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and the Earl married, secondly, at Acton, Middlesex, 20 July 1714, Frances (Pierrepont), third daughter of the first Duke of Kingston. She was declared a lunatic March 1730, and died 4 March 1761 at Marylebone, aged above eighty.[1]

By his first marriage the Earl had issue:—

1. THOMAS, Lord Erskine.
2. *John*, who died at three months old.

By his second marriage the Earl had

3. *Frances*, of whom later.

THOMAS, styled Lord Erskine, born about 1705. Owing to his father's attainder, he was deprived of his title, and for a time of his estates. But these, or a portion of them, comprehending the lordship of Alloa and lands in Aberdeenshire, were in 1724 purchased from the Government by two friends of the family, James Erskine, Lord Grange, and David Erskine, Lord Dun, who freed the property from its varied debts and encumbrances, and on 6 January 1739 they executed a disposition of the estates with an entail. The succession was to be as follows: first, to Thomas, Lord Erskine and the heirs-male of his body, whom failing, to the heirs whomsoever of his body; secondly, to Frances Erskine his sister, and the heirs-male of her body, whom failing, to her heirs whomsoever; thirdly, to James Erskine of Grange and his heirs-male, etc., as above, with other remainders.[2] In terms of this Thomas Erskine obtained possession of the estates. He held the office of Commissary of Stores at Gibraltar in 1729. He was, in February 1747, as Thomas Erskine of Alloa, elected a Member of Parliament for Stirling, and again in the General Election of July in the same year was chosen member for the county of Clackmannan. He died at Gayfield 16 March 1766, and was succeeded in his estates by his sister Frances. He married at Hopetoun House, 1 October 1741,[3] Charlotte, eighth daughter of Charles Hope, first Earl of Hopetoun (*see that title*), but by her had no issue. She survived him, and died at Edinburgh 24 November 1788, in her sixty-ninth year.

[1] Ruvigny's *Jacobite Peerage*, 114. [2] Mar Minutes, No. 159. [3] *Ibid.*, 291.

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XII. **Frances Erskine**, who after her brother's death without issue succeeded as his heir, and was heir of line and heir-general of the Earls of Mar. She was, on 31 October 1766, retoured nearest and lawful heir of her brother.[1] She married, in October 1740, her cousin-german, James Erskine, third son of James Erskine of Grange, who under the disposition of 1739 was in the line of entail of the Mar estates. He was an advocate, and also held the post of Knight-Marshal of Scotland. He became, on the death of his elder brother Lieut.-Colonel Charles Erskine, the direct heir of his father, and was on 19 March 1777 retoured nearest and lawful heir-male of his grandfather Charles, Earl of Mar, in default of heirs-male of the body of John, Earl of Mar, and also in default of lawful heirs-male of Charles Erskine.[2] He died at Abbeyhill, Edinburgh, 27 February 1785, and the inventory of his effects, given up by a creditor, amounted to £211, 13s. 4d. sterling.[3] His wife predeceased him at London 20 June 1776. They had issue:—

1. **John Francis**, restored Earl of Mar.
2. *James Francis*, born 1743; became a colonel in the Army; died at Edinburgh 5 April 1806. He married a Swiss lady, and had issue, who died *s.p.*

XIII. **John Francis**, restored Earl of Mar; born in 1741, had a commission as lieutenant in 9th Dragoons 1757, later becoming a captain in the 1st Horse, and retired from the Army in 1770. On 25 April 1780 he was retoured heir of tailzie of his mother in the fee of the earldom of Mar, in so far as it was not disponed or alienated by the late James Erskine of Grange and David Erskine of Dun, comprehending chiefly the lands and barony of Alloa, with certain properties in Aberdeenshire. He did much to improve his estates and promote the welfare of his servants. On 17 June 1824 he was as 'grandson and lineal representative' of John, Earl of Mar, forfeited in January 1715-16, restored to 'the Honors, Dignities and Titles of Earl of Mar' with all other persons who would be entitled to succeed to such.[4] He did not, however, long enjoy his restored rank, but

[1] Mar Minutes, No. 160. [2] *Ibid.*, Nos. 163, 164. [3] Edin. Tests., 13 May 1785. [4] Mar Minutes, No. 170.

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died in Edinburgh on 20 August 1825, aged eighty-four. He married, at Upway, in Dorsetshire, 17 March 1770, Frances, only daughter of Charles Floyer, Governor of Madras. By her, who died at Alloa 20 December 1798, he had issue:—

1. JOHN THOMAS, his heir.
2. *James Floyer*, captain 26th Cameronian Regiment, married, 12 November 1796, Susan, daughter of Charles Kirkpatrick Sharpe of Hoddam, and died *s.p.* 15 May 1798.
3. *Henry David*, born 10 May 1776, married, 22 October 1805, Mary Anne (who died 4 March 1860), daughter of John Cooksey, and died 31 December 1846, having had issue:—

   (1) *Henry David*, died in infancy.
   (2) *John Francis*, captain in the Army, born 17 November 1808, died unmarried 29 September 1845.
   (3) WALTER CONINGSBY, who became EARL OF KELLIE (*see that title*) and was father of the present EARL OF MAR and KELLIE.
   (4) *James Augustus*, received patent of precedence of a son of an Earl 1866, born 27 March 1812. Knight of St. Ferdinand of Spain, late Assistant Commissary-General to H.M. Forces; married, first, 15 June 1837, Fanny, daughter of the late General Henry Ivatt Delacombe, C.B. (she died 17 September 1851), leaving issue, and, secondly, 4 November 1852, Elizabeth Bogue, daughter of the late George Brodie, Historiographer-Royal for Scotland; and died 24 July 1885, leaving issue by her (who died 9 February 1882).
   (5) *Henry David*, born 15 June 1814, captain R.M., married, 27 June 1846, Eliza (who died 1881), third daughter of John Ingle, and died 7 December 1852, leaving issue.
   (6) *Rev. Charles Thomas*, born 6 January 1821, died unmarried 5 November 1861.
   (7) *Anne Caroline*, born 3 September 1823, married, 18 June 1856, to Rev. Joseph Haskoll, who died 26 February 1871, leaving issue two sons and five daughters. She received a patent of precedence of a daughter of an Earl 1866, and died 4 December 1891, aged sixty-eight.

4. *Rev. Thomas*, M.A., Vicar of Beighton, born 10 July 1785, married, 4 June 1817, Charlotte, daughter of Major Watson. She died 1 December 1876. He died 1 January 1859, leaving issue.
5. *Charlotte Frances*, died 25 January 1837.
6. *Mary Anne*, died 17 April 1844.
7. *Charlotte*, died 27 February 1852.
8. *Jane*, died October 1857.

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XIV. JOHN THOMAS,[1] Earl of Mar, born at Alloa House 18 June 1772. He died 20 September 1828, having married, at Dalswinton 17 March 1795, Janet, daughter of Patrick Miller of Dalswinton, co. Dumfries, and by her (who died 25 August 1825) had issue:—

1. JOHN FRANCIS MILLER, who succeeded.
2. *Frances Jemima*, married, 12 October 1830, to William James Goodeve (who died 22 December 1861); and died 20 June 1842, having had:—

   (1) JOHN FRANCIS ERSKINE, present Earl of Mar.
   (2) *Frances Jemima Erskine*,[2] born 13 December 1831, married, 29 March 1854, to Lieut.-Gen. James Nowell Young, late Judge Advocate-General, Bengal, and died 11 August 1887, aged fifty-five, leaving issue.
   (3) *Charlotte Erskine*, born 27 May 1833, married, 30 November 1857, to Charles Bell, who died 2 September 1859. She died 9 September 1859, leaving issue.
   (4) *Eliza Philadelphia Erskine*, born 25 December 1834, married, 14 August 1862, to Rev. Edward Maule Cole, M.A., Vicar of Wetwang, Yorkshire, and has issue.
   (5) *Madeline Erskine*, born 22 October 1838.

3. *Jane Janetta*, married, 29 April 1830, to Edward Wilmot Chetwode of Woodbrooke, Queen's County (who died 9 May 1874), and died 16 May 1861, leaving issue.

XV. JOHN FRANCIS MILLER, Earl of Mar, who in 1835 established his right to the earldom of Kellie. (*See that title.*) He was born 28 December 1795, and died at Alloa, *s.p.*, 19 June 1866. He married, at Edinburgh, 24 April 1827, Philadelphia Stuart, daughter of Sir C. G. Stuart Menteith of Closeburn, Bart. She died at Alloa 15 February 1853. On the Earl's demise his title of Kellie passed to the next heir-male, his cousin Walter Coningsby. (*See* pp. 95, 634.)

XVI. JOHN FRANCIS ERSKINE GOODEVE-ERSKINE, Earl of Mar and Baron Garioch, succeeded his uncle 19 June 1866.[3] He was born at Clifton 29 March 1836; married, 12 September 1866, at Llangattock-Vibon-Avel, co. Monmouth,

[1] Burke's *Peerage*, 1120. [2] By royal warrant dated 15 October 1885 Queen Victoria granted to this lady and her sister the title, rank, and precedence that would have been due to them if their mother had lived to succeed her brother as Countess of Mar. [3] The finding of the Committee of Privileges in 1875 regarding the earldom of Mar claimed by

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Alice Mary Sinclair, daughter of the late John Hamilton of Hilston Park, co. Monmouth, and has a son.

JOHN FRANCIS HAMILTON SINCLAIR CUNLIFFE BROOKES FORBES, Lord Garioch, born at Bournemouth 27 February 1868, married, 15 September 1903, at St. Peter's, Eton Square, Sibyl May Dominica, only daughter of Robert Heathcote of Lobthorpe, co. Lincoln, and of Manton Hall, co. Rutland.

CREATION.—According to the decreet of ranking of 1606 he was allowed precedence of 1404.

ARMS (recorded in Lyon Register).—Quarterly: 1st and 4th, azure, a bend between six cross crosslets or, for *Mar*; 2nd and 3rd, argent, a pale sable, for *Erskine*.

CREST.—A dexter hand holding a cutlass argent, hilted and pommelled or.

SUPPORTERS.—Two griffins argent armed, beaked, and winged or.

MOTTO.—*Je pense plus.*

[J. A.]

Walter Coningsby, Earl of Kellie, having given rise to doubts whether the ancient dignity of Mar had not been by some means 'surrendered or merged in the Crown,' an Act of Parliament was passed in 1885 to remove these doubts by confirming the old title as fully as if there had been no such surrender.

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STEWART, EARL OF MAR

EVEN before the earldom of Mar was declared in 1457, as above stated (p. 606), to be vested in the Crown, King James II. had bestowed the earldom of Garioch on his consort Queen Mary of Gueldres. The territory of Mar also after 1457 remained in possession of the Crown until it was granted to

I. JOHN STEWART, fourth, but third surviving, son of King James II., born about or after October 1456, who was created between 21 June 1458 and 23 June 1459, EARL OF MAR AND GARIOCH.[1] He appears little on record except as a witness to a few royal charters, and his career was both brief and unfortunate. He is described by a quaint Scottish historian as 'young, fair, and lustie, ane man of high statur, fair and plessant faceit, gentill in all his haweingis and maneris and knew na thing bot nobilitie.' He was also, it is said, fond of hunting and hawking, archery and other knightly games; while he encouraged the importation of a large breed of horses and mares to improve the native stock and supply cavalry in war.[2] Historians agree that designing persons for their own purposes did their best to sow discord between King James III. and his two brothers, Albany and Mar. They are represented as being

[1] *Exch. Rolls*, VI. cxxvii. 516. [2] Pitscottie, Scot. Text Soc., i. 163.

active and ambitious, and probably with the carelessness of youth gave some ground to the accusations made against them. Pitscottie states that the King sent for his brothers, and that Mar came obediently to Court, but was murdered and slain in the Canongate in a bath. This has been a charge against King James III. ever since, but Drummond of Hawthornden, on the authority of Bishop Elphinstone of Aberdeen, a contemporary, tells a different story. He also refers to the plotting against the King, and says: 'The Earl of Mar, young and rash, purblind in foreseeing the events of things, is stirred up to begin the tragedy.' He unwisely spoke too freely to the King as to the latter's companions, and as a punishment was committed to ward in Craigmillar Castle. His imprisonment so wrought upon him that his body grew fevered and his mind disordered. He was then transported to the Canongate, Edinburgh. The King's physician attended him, and, as was then usual, bled the patient, who died under the treatment, but whether from the physician's over-zeal or his own hands tearing his bandages loose is not certain.[1] Bishop Elphinstone, however, exonerates the King from the guilt of Mar's death. The latter died in the year 1479, certainly before 14 July 1480.[2] An arrangement was made for masses for his soul, and that of his sister-in-law Queen Margaret, who died in 1486, to be celebrated by the Carmelites of Aberdeen. His obit is given as 9 July, though curiously enough, notwithstanding other evidence, the year of his death is said to be 1490.[3] He died, so far as known, unmarried and without issue.

II. ALEXANDER STEWART, Duke of Albany, elder brother of the preceding, was the next to hold the title of Mar. He received a grant of the earldoms of Mar and Garioch between 29 September and 10 October 1482,[4] and he styles himself Earl of Mar and Garioch in two charters by him, granted at Dunbar on 21 February 1482-83 and 2 May 1483.[5] (For his career *see title* Albany.)

[1] *The History of the Five Jameses*, by Sir William Drummond, ed. 1711, 47, 48. [2] *Reg. Mag. Sig.* [3] *Registrum Aberdonense*, ii. 299-302; 215. [4] *Reg. Mag. Sig.*, 18-20 January 1482-83 and *note*. [5] *Ibid.*, 11-29 January 1483-84; 28 June 1488.

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III. John Stewart, third son of King James III., was born during the year between July 1479 and July 1480.[1] He had a grant of the lands and earldom of Mar and Garioch, with the castle of Kildrummy, from his father on 2 March 1485-86.[2] In 1490 he was under the governance of Alexander Home, afterwards second Lord Home, to whom King James IV. committed the administration of the rents of the earldom on behalf of the young Earl, who was now old enough to go to school, while nothing had been assigned for his maintenance.[3] He was to be under Home's care for nine years, and his education was apparently conducted by William Knollys, Lord of St. John's and Prior of Torphichen, who in 1493 is described as his tutor.[4] He is named in various royal charters, his brother the King acting as administrator for him during his nonage. He is also referred to occasionally as playing cards with the King. His career, however, was short, and he died, apparently with some suddenness, on 11 March 1502-3, while the King was in the south of Galloway.[5] He was unmarried.

IV. James Stewart, son of King James V. by Margaret Erskine, was on 7 February 1561-62 made EARL OF MAR, receiving the earldom to himself and his heirs-male. But he resigned it again before October 1562,[6] and resumed the title of Earl of Moray, where a notice of him will be found.

[J. A.]

[1] *Exch. Rolls*, ix. 54, 55. [2] *Reg. Mag. Sig.* [3] *Ibid.*, 28 April 1490. [4] *High Treasurer's Accounts*, i. 208. [5] *Exch. Rolls*, xii. 129, 296; *Treasurer's Accounts.* [6] Minutes of Mar Peerage, 57-61.

END OF VOL. V

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ERRATA.

Page 131, line 5 from bottom, *for* 'fourth' *read* 'only.'
" 304 " 8 " " " 'revise' " 'revive.'

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